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## VIEWS AND REVIEWS

### I

OUR committee on nominations was more adventurous this year than usual and has brought to our colors the important leadership of Charles E. Hughes as our President.

Of all the men conspicuous in American public life, Mr. Hughes is the one best prepared to co-operate in our enterprizes by an accumulation of matured convictions based on experience as governor of our most populous state. When we deal with problems of state re-organization, state finance, election laws, short ballot, legislative rules, utility control and many other questions relating to forms of government, we deal with questions wherein he was a pioneer among all governors. As governor his incessant rejection of expediency and compromise in favor of principle was an inspiration; his tactics of "defeat me on this issue if you dare" were new to politics. His has been a name to conjure with in New York ever since and even the Democrats were competing for the honor of installing his defeated reforms years after he left Albany. When accepting our nomination, he told Mr. Purdy that he plans to devote more of his time hereafter to public matters. Ours is the logical outlet for his energy and the problem will be to make our programs worthy of his valuable time.

In inviting Mr. Vanderlip to accept

our treasurership, we were again taking advantage of an announced determination to retire from active business to spend more time on civics. We told him of the far-reaching development of small-city chambers of commerce with modern local civic programs and of our need for evidence that our work is not for specialists only but deserves the attention of public-minded business men.

Our secretaryship remains vacant, but through no lack of diligence in the nominating committee. Mr. Woodruff, now and forever our honorary secretary, happily has consented to fill the gap.

In the new council the feature is a larger number of business men and of women.

### II

OUR annual meeting at Cleveland was in its attendance typical of these meetings in late years and as baffling as usual to the management. The attendance was mainly professional civic directors, coming because this is the annual outing of their fraternity and the only opportunity to meet their fellows. When they had speeches to emit they entered the convention room; otherwise their preference was for the personal informalities of the always-interesting lobby and for the cozy heart-to-heart talks at the professional problem meetings organized by the civic secretaries' association

and the governmental research conference. It was not always easy to muster a decent quorum to listen to a formal discussion of great current public problems. It sometimes seemed as if Mr. McClintock of Pittsburgh, who has never an axe to grind or a word to say on the floor, were the only one who had come to be instructed rather than to instruct! The others in the audience inattentively awaited their turn at the platform; Mr. McClintock and the stenotypist got it all!

Mr. Woodruff observed that in the early days of the League, non-professional good citizens made up our whole attendance. Of course in those days the civic professional hardly existed anyway, but why should the layman have retired as the professional appeared? Did they proceed to save themselves the journey as soon as they had professionals to send? Is the layman in the local organizations now doing his work there more by proxy too? Is civics getting too technical for the layman? Are we to look forward to a membership made up exclusively of paid civic secretaries, bureau directors, college professors and reference libraries? With the cramped finances that such a limited backing suggests? Or can we translate civics into terms that will catch and hold the attention of the rank-and-file membership of the city clubs and civic leagues and chambers of commerce and thus exert a large direct influence upon a big lay membership?

### III

THE moot constitutional convention at Cleveland was by general agreement a success—that is, it was found to be interesting, it held the attendance for inhumanly long hours and brought out some excellent and authoritative debating. Unfortunately two of the sharp-

est conflicts of opinion, those on civil service and budget, were not carried to the floor but were settled in committee, the minority refraining from an appeal to the convention. There were numerous novelties that secured prompt and unanimous support—the single-house legislature, for example—and in other cases there were equally unexpected splits. The committee that is now to draft a complete model state constitution for submission next year starts with many illuminating test votes.

### IV

THE ascent of the hill of progress has such a moderate grade that it is not until we look back that we realize how much we have risen. Such sensations are particularly striking in the "Valedictory" which Mr. Woodruff has written for this issue. Nothing could have seemed much more forlorn than the prospects of that little organization which Mr. Woodruff held together by his youthful devotion and personal willingness to do the drudgery without salary for an indefinite period, twenty-five years ago. The whole story of municipal progress in America is compassed in that quarter-century from its beginning in 1894 before the first victory over Tammany in New York city had lighted the torch of hope for reform in municipal affairs in America to the present when the League turns its attention to state and county government because its work in the municipal field is so nearly done.

Mr. Woodruff's main contribution to the movement was the League but it is not necessary to demonstrate that Mr. Woodruff did this or that in the long upward effort; no man could have occupied so central and busy a position in the work for twenty-five years without contributing vastly to the result!

RICHARD S. CHILDS

# A VALEDICTORY

BY CLINTON ROGERS WOODRUFF

*Philadelphia*

TWENTY-FIVE years have witnessed many changes in the field of government, the great majority of them, I am persuaded, for the better. For one thing government as such, in its various phases, is no longer ignored. Constructive minds are engaged in its study and improvement. This is a great gain. When the National Municipal League was organized in 1894, government was about the last thing to claim the attention even of the most conscientious citizen. To-day it is receiving the definite, unremitting consideration of a lengthening list of civic bodies; of business men, in their individual and organized capacity; of institutions of learning; of students and investigators. It is quite within the mark to declare that government—federal, state and municipal—is coming into its own.

Twenty-five years ago systematic instruction in government was incidental and infrequent. Instruction in municipal government was unknown. Eighteen years ago when the present professor of municipal government at Harvard began his work there were only two courses given—one at Columbia, the other at the University of Michigan. There was not a single text-book suitable for use. There were no sources of information such as are now provided by the bureau of the census; the municipal reference libraries; the bureaus of municipal research and similar bodies or by the NATIONAL MUNICIPAL REVIEW or the *American City*.

Contrast that situation with the one that exists to-day. The amount of instruction has steadily increased

and its character has steadily improved so that it is now possible to say that "from the point of view of getting text-books and materials municipal government is the easiest subject in the whole range of political science." Sources of information have multiplied so rapidly that it is a difficult problem even for the specialist to keep abreast of their output. The list of publications, books, pamphlets, periodicals, is a continually lengthening one. To-day no other one subject is receiving more thoughtful attention at the hands of teachers and publicists. This is especially true of the municipal phases.

These developments clearly indicate that the work of the National Municipal League has not been in vain. In season and out it has stressed the necessity alike for interest in and attention to municipal affairs and latterly it has extended this emphasis to include state and county affairs, which may now be said to be coming into their own, to their manifest advantage and improvement.

"Municipal affairs" is a phrase which to-day includes a multitude of things that a generation ago were not discussed even academically. One has only to study the budget of the present-day city to appreciate how manifold those affairs have become. Not only numerically but intrinsically they have grown in importance and this constitutes an important feature of the present public interest in them. If one wishes to gain a still different and fuller conception let him take up the annual volumes of the Proceedings of the National Municipal League and study

their contents. They are something more than a storehouse of current municipal events; something more than a record of significant happenings. They represent the growth of a great movement in modern life; the development and flowering of an effort that has gone far to remove the odium that once rested on American cities and to establish them on a basis where, it can be said, there has been "a growth of public opinion toward rightness." More, too, can be said. There has been a steady growth toward responsible, efficient, democratic government.

Let no man be misled by these statements. The millennium is not here, nor is it likely to be ushered in during the lifetime of even the youngest among us. Progress, not finality, is all that can be reported. It is all that can be reasonably expected of any human endeavor. Within the generation in which the National Municipal League has been at work municipal government in the United States has been changed from a source of shame to one of pride. Graft has become the exception, instead of the constant characteristic. Indifference and inefficiency are yielding to interest and efficiency.

Many have been the experiments tried within this period. Some have failed, others have succeeded. The significant thing is that they have been tried and are being tried. Scientific opinion is still divided as to the direct primary; the initiative; the referendum; the recall; preferential voting; proportional representation; commission government, the commission or city manager form. They are, however, being tried out conscientiously and those most deeply believing in them are seeking to improve the machinery of their application and to meet and overcome their defects as they are disclosed.

While public opinion may likewise be divided as to their wisdom; there is no gainsaying that they are put forward in a conscientious endeavor to improve the machinery of government; to make it more responsible and responsive to the people and their will and to wed efficiency to democracy.

Home rule for cities, once a far cry in the wilderness, is to-day the guaranteed constitutional right of the cities of one quarter of our states and bids fair to become the policy of many more in the near future. It is difficult to appreciate what this means to the future of municipal government in this country and to our states as well. It is truly a mighty factor, at one and the same time for municipal government and for an efficient administration of state affairs. Along with the direct election of the United States senators it has helped to realize the demand that for really efficient democratic city government the latter must be divorced from state and national politics. It has also helped to make people think of city affairs in municipal terms to a degree little dreamed of when the Philadelphia conference for good city government met in 1894. Then the chief interest in city affairs was almost wholly critical. There was little or no substantive or constructive study or suggestion. The chief actors in volunteer municipal work were keen critics and oftentimes the most successful reformers were those who most vigorously cried "turn the rascals out." Such attention stimulated interest for a time; but the reaction was great. Usually one group of rascals succeeded another and there was nothing but a change of personnel to be noted.

Unfortunately the improvement in the personnel of our city officials has not kept pace with improvements in other directions, although substantial changes for the better are everywhere

to be noted. There will be no lasting improvement in this connection until the short ballot becomes an established fact. This change will come less quickly than others because of the "vested interests" of the great political organizations, which will yield with the greatest reluctance and only in the last trench. For the short ballot means the substitution of citizen management for party organization. Whether the latter will ever cease to be necessary is a question upon which there is a sharp difference of opinion. There is no doubt, however, that party ties, particularly in local contests, rest far more lightly than they did a generation ago.

The city-manager movement may be justly regarded as the ripest fruit of the movement for better municipal government. It embodies the short ballot; responsiveness to public opinion; concentration of executive power and responsibility; expert administration of city affairs; the elimination of legislative control over administration; all essential principles of sound governmental practice. The success of the plan has been abundantly proved, although here and there expectations, because unreasonable, have not been met. It can be deliberately said that the city-manager plan has arrived. Like other governmental agencies it is open to change and improvement; but to-day it stands as the big contribution to political science of the past quarter of a century. Moreover, its expanding application to a lengthening list of cities is developing municipal policies as perhaps no other single factor. It is helping to convert theories and dreams into facts. City planning, zoning, budget making, the prepara-

tion of adequate and carefully devised plans for transportation, intelligent housing, all have felt an impetus due to the increase in the number of experts in municipal affairs. Each in itself a highly specialized subject, it naturally expands when encouraged by those who make municipal administration their specialty.

At Philadelphia it was said, "As go our cities, so will our states and the nation go." If the latter are to be saved, we must first save the former. As a natural corollary, it follows that as the interest in municipal affairs develops and expands it must include the county and the state and eventually the nation. The National Municipal League has already begun to travel along that road. Committees on state and county government are at work and we may soon expect to see a model county charter and a model state constitution take their place along side of the League's model city charter, already widely recognized as one of its most substantial contributions to the cause to which it has devoted its energy.

To have been associated with this movement from its conception; to have been present at its birth; to have shared in its growth, is a heritage of which one may well be proud. As I stand here to-day to utter my valedictory, after twenty-five years of service in this organization, conscious that I have been a part of a nation-wide effort to place American cities on a firmer and more honorable basis, I am overcome with sadness at the parting, but the memory of the joy of the work with you and your predecessors is a worthy recompense.

# OUR MOOT STATE CONSTITUTIONAL CONVENTION

BY FERDINAND H. GRASER

*Philadelphia*

## I

WITH an attendance representing every section of the country and many varied vocations, the twenty-fifth annual meeting of the National Municipal League, held at Cleveland, Ohio, December 29, 30, and 31, 1919, tried an interesting novelty in convention methods. At the same time it signaled the entrance of the League into the field of state problems, for hitherto the questions considered at annual gatherings have had to do almost exclusively with city affairs; or, if they touched on county and state governments, it was usually with reference to their reaction upon the cities. Hereafter the entire commonwealth, with all its departments, divisions, and activities, will be the food brought to the table for dissection or digestion.

The meeting on two of the three days assumed the form of a moot state constitutional convention, to which the members of the governmental research conference and of the national association of civic secretaries, as well as of the League, were invited. Cleveland was also at this same time, the scene of the annual meetings of the American political science association and the American historical association, a fact which happily brought to several of the sessions men who in other years could not attend, though much interested, because their chief allegiance was elsewhere.

Carefully prepared planks for a model state constitution were brought to the opening sessions of the convention by men who have for years given

special study to certain divisions of state government. These planks were read, discussed, amended, and referred back to the writers, for revision and presentation on the last day, when they were given further attention by the convention as a whole, and then sent *in toto* to the committee on state government of the National Municipal League, to be used as basis for a model constitution that can later be issued with the recommendation and backing of the League.

Just as the model city charter has been of untold help to a hundred cities which have within the past few years recast their fundamental law, so this new state charter or constitution, it is safe to say, will aid mightily in guiding the statesmen of perhaps a score of commonwealths, which have under consideration, or will soon have, suggestions for revising or amending their constitutions. And again the League will justify its existence and prove itself, ever young with its increasing years of experience, forward looking, up to the minute in listening to suggestions for improvement in government, fair in testing them out, sagacious in its advice for their adoption where they will do the most good.

A change in executive officers of the League comes simultaneously, though not intentionally. The Hon. Charles Evans Hughes of New York, a former justice of the supreme court of the United States, succeeds Mr. Lawson Purdy as president, who, after five years' service, found himself unable to give the League the attention it required. Mr. Frank A. Vanderlip of New York city, former secretary of the

treasury, becomes treasurer of the League. The office of secretary has not yet been filled. Mr. Clinton Rogers Woodruff delivered his valedictory at the twenty-fifth annual meeting, which marked the rounding out of a quarter of century of service with the organization. The council of the League will select his successor.

## II

The moot convention had its moments of spectacular and dramatic interest, its lights of intellect, its shadows of doubt, and its periods of gloom and of laughter, for with all shades of opinion represented by the men and women on the floor, the discussions at times waxed spirited and warm. It must suffice here, however, to deal with the high spots, and to refer the patient reader for details to the final draft, which the committee is to present next year.

Every state constitution should, of course, begin with a bill of rights; on the other hand, it should not; for our rights are sufficiently safeguarded by the fourteenth amendment to the federal constitution. There at the outset you have conflicting views! The committee of one, Prof. Albert Bushnell Hart of Harvard brought with him eighty-one sections from various bills of rights found in existing state constitutions, which he said could be boiled down to thirty, and he proved it. The Convention decided to submit the thirty to any body of constitution makers who desire the best thought of the day in such a digest, but with a prefatory note saying that they are not really essential, after all.

The convention was not ready to give unqualified approval to the so-called state-manager plan,<sup>1</sup> as recommended by the national short bal-

lot organization, represented by Mr. Richard S. Childs. The plan, however, received a cordial greeting, both because of the careful manner in which it had been formulated, and because, as its author pointed out, it was the logical development of the League's advocacy of the city-manager plan for municipalities. In brief, it reduced the governor to the position of presiding officer of the legislative council of nine, by which he was to be elected, with no veto or appointive power. The legislature would consist of one house of seventy-four members, the only committee of which would be the legislative council. The principal functions now exercised by the governor would be taken over by the administrative manager, elected by the legislative council, who would appoint and remove all heads of departments.

To this plan, which was ably supported by Prof. A. R. Hatton and others, strong objection was made by Dr. Charles A. Beard, minority member of Mr. Child's committee. Dr. Beard opposed the majority report with such effect that the convention, which on Monday leaned toward the adoption of the majority report, was swung back to the historical conception of governor and legislature with separated powers, but with the rights of the people safeguarded by proper methods. Dr. Beard believes that a legislature elected on the principle of proportional representation need not be larger than forty members, but the convention agreed to seventy-four. He was skeptical of the advantage to be derived by a state manager, pointing out that no city of the first magnitude has yet tried the city manager, on account of the necessity for political leadership in the executive.

Under Dr. Beard's plan the governor would be elected by the people, with absolute power to appoint and remove

<sup>1</sup>NATIONAL MUNICIPAL REVIEW, vol. viii, pp. 707-709.

heads of departments, would prepare the budget, which the legislature might reduce but not increase; and would have the power to dissolve the legislature when it defeats any of his measures. The legislature, organized with one committee on appropriations and revenues and one standing committee for each of the major branches of state administration, might, on the other hand, call a general election to support it in any break with the governor. There would also be introduced the recall principle.

### III

In other directions, the League substantially followed the precedent set in former years. It renewed its allegiance to proportional representation and showed how it might be written into a state constitution. It adopted a brief budget provision, and recommended the initiative, referendum and recall as parts of fundamental state law. Unification of all courts in the state through a single administrative system was provided in a series of sections drafted by the American judicature society. The convention favored the appointment of judges, generally speaking, by the governor; and voted against the appointment of any judges by the chief justice. It stood by the principle of local self-government in the matter of supervision by a state civil service

commission of all local public servants; but would permit a state auditor of public accounts to prescribe methods of accounting for counties and municipalities. The League's Model Charter proposals for municipal corporation provisions, were adopted without change. The declaration on taxation is limited to a single sentence declaring that "the power of taxation shall never be surrendered, suspended, or contracted away." An educational requirement for the suffrage was favored, and it was desired that a woman's status with reference to voting should not be affected by marriage. A friendly attitude toward the demands of labor for legislation as to number of hours of work and as to social insurance, was manifested. Three methods of constitutional amendment were approved: proposal by the legislature; by the electorate, through the initiative; and by a body especially selected for the purpose; all of these would require for their consummation the approval of the electorate in referendum.

The present constitution of the state of Nebraska formed the groundwork of all the suggestions made, and of the discussion, and one of the delegates to the Nebraska convention now in session, Mr. Addison E. Sheldon, who participated actively in all the proceedings of the League's meeting, declared that the amendments proposed would have immediate consideration in his state.

# A CITY THAT RAN A FARM

BY H. W. DODDS

*Western Reserve University*

## I

RISEING prices of foodstuffs and consequent unrest have stimulated new speculation and some novel experiments concerning the food supply. It remained for the city of Allentown, Pennsylvania, a town of 75,000 population, to undertake a municipal farm, the products of which were marketed in competition with the commission merchant and retailer.

In 1916 the city council bought a farm of 480 acres on the outskirts of Allentown as the site of a sewage disposal plant. Its construction was interrupted by the war, and rather than lease the tillable soil to private individuals, the superintendent of parks began in the spring of 1918 to operate the farm as a public enterprise. The original plans for sewage disposal were later abandoned in favor of the electrical oxidation system, and the land was held frankly as a municipal farm.

The 275 acres of tillable soil have been cultivated with paid help as any farm of the size in Pennsylvania. No attempt has been made to employ prison labor in this connection. In addition to the usual grain crops, an extensive variety of truck has been raised and a drove of 125 pigs was supported from city garbage. The products have been sold from city trucks at the curb markets and at cost in one or two private stores.

The superintendent of parks, to whose initiative the whole program was due, distributed the supply among the markets with the definite purpose of controlling the general price. "My main object in running the farm,"

he states, "was to obtain enough produce to enable me to go into the market and, by selling city products at a fair price, make it impossible for dealers to profiteer in vegetables." Products offered for sale were advertised in the local papers and the prices quoted in advance. Housewives came to call these prices "city prices," and they exerted a real influence at least on the market at which city products were being sold. The "city prices" were generally lower than the prevailing retail prices, and on a number of occasions brought distinct cuts in retail markets, which, its promoter believed, went to increase the value of the farm as a social agency. The farm did not provide sufficient quantities to control prices universally throughout the city, but its sponsors claimed that within two years the city could control a margin of the supply sufficient to fix prices throughout the city.

The management constantly strove to make the project pay and by providing easy selling facilities through the curb markets to encourage food production in the community. Toward farmers the attitude was one of co-operation in securing a fair price, but toward the produce merchants the attitude was active competition. In fact the produce dealer was assumed to be a profiteer *per se*. The plan was to sell at cost plus a fair profit and not to undersell the farmers who market directly at reasonable prices.

The utilization of the garbage on the municipal farm was still under trial, but those in charge hoped that eventually the city would be able to raise

3,000 hogs, the number which could be supported from the garbage supply of Allentown. The farm was able to dispose of less than 5 per cent of the total garbage and the city is paying a good sum for garbage incineration. The hope was to turn this outlay into income. Another prospective source of revenue was the utilization of the pasture land and grain crops for fattening cattle and sheep for market. All the crops would thus be marketed eventually in a form ready for direct consumption by the people.

The financial experience was encouraging. In response to the charge that the farm was wasting the people's money, a committee was appointed by the city council at the end of the first year to appraise the assets and audit the books. The findings of the audit committee placed the value of the equipment, crops and cash on hand at \$3,000 more than expenditures in equipping and operating the farm for the first year. The year 1918, however, was one of rapidly rising prices for farm products, and this favorable balance was wiped out later by the ravages of hog cholera and a drop in the price of the corn being held for market. As a consequence the management was glad to be able to break even on the first year's venture. At this writing it is too early to know the financial experience of the second year. Adequate steps, however, were taken to prevent a recurrence of the cholera. Those behind the undertaking frankly viewed it as an experiment, and believed that it would take five years to determine whether or not it was practicable.

## II

In considering the merits of the plan and its possible extension to other cities, it can be seriously doubted

whether this is a propitious field for collective enterprise. It is designed to get at the profiteer by an indirect method of fixing the market price. But this will not solve the difficulty of the food supply. A broader plan will seek to make each community self supporting through the encouragement of home production. Wide awake municipalities will establish easier and more direct collection, distribution and market facilities. Some are going further by providing the farmer with commercial credit on terms commensurate with those which his city brother enjoys, thus enabling him to respond with confidence to the better market near at hand.

An enterprise which may discourage production cannot be adopted generally. Although the Allentown management took pains to maintain the good will of the farmers who come to their markets, a department of the city government frequently offering special bargains in municipal produce will not reassure the timid farmer's heart, and the first step towards sounding the possibilities in the food supply is to convince the farmers of the community that the home market is a good market.

Finally, food production is a highly speculative venture (the risks of which, in the last analysis, the commission merchant has escaped). Successful farming, moreover, requires strict attention to detail and prompt action in every exigency. The considerations which have discouraged successful consolidation of several farms under single capital control would indicate that farming presents difficulties in management which make it a business unpromising to municipal endeavor.

The administration of the Allentown farm was in the hands of an unusual type of city official. Mr. R. J. Wheeler, Superintendent of Parks and Public Property, believed heart and

soul in the venture. Being convinced that the field of social enterprise must be widely extended he spared no effort, and running a farm is a man's job, as any one will admit who has tried it.

Unfortunately, this interesting experiment will probably not be continued. The recent municipal election, the first under the new law restoring the partisan ballot to third class

cities, turned out the "socialistic" majority in the council which, among other things, had been especially energetic in continuing the sale of surplus army food in Allentown. It is now understood that the city is to have no more government food, and the "socialistic" plans of the old council have, for the time being at least, fallen by the wayside.

## TO POPULARIZE MUNICIPAL BONDS

BY HENRY BRUÈRE

### I

THE government war loan campaigns made investors of millions who had never before known even the meaning of investments because investing was made easy and habits of regular saving were instilled. And on these two points must be based means for the democratization of investment—convenient securities within the means of all and available to all and the effective encouraging of constant thrift—these being intermotivated.

Before the war campaigns these two requirements were never combined. Securities were of such denominations and their sales methods were so repellent as to make them impossible. The encouraging of thrift was left to savings banks, which, by their very nature, could only be passive, and to building and loan associations, life insurance companies and similar specialized institutions. But the need had for some years been recognized and what were apparently experiments in the necessary direction were undertaken.

The idea of "baby bonds" was developed and New York city sold securities in \$10 denominations and the United States issued \$20 bonds. But these did not solve the problem

because distribution methods were no better than for the high-priced securities and because they were subject to similar fluctuations of market price. Then, too, there was no mechanism for encouraging and organizing thrift.

### II

Early in 1913 the problem was the subject of conferences, in New York, of a number of prominent business men, including bankers, merchants and financial lawyers. It was urged that the matter was one of distribution, it being declared that investments could be sold in stores just like clothing or groceries. This was taken up by a director of the Northwestern Trust company in St. Paul, who had participated in the conference. The trust company had at that time \$200,000 in St. Paul bonds on its hands which it could not dispose of through the usual channels. As a half jesting experiment these bonds were put on sale in a department store, sold like merchandise and in one day the whole \$200,000 worth went "over the counter." "The St. Paul plan" achieved fame and other department stores tried it. The *Baltimore Sun* in ten days sold \$1,000,000 worth of bonds, and "over the counter"

sales of municipal securities have been resorted to in a number of cities, although they are still objects of interest. The sinking fund commissions of St. Paul began to issue small unit certificates based on St. Paul bonds. These were placed on continuous sale and were made redeemable at par.

This plan developed into the so-called "municipal savings bank" of St. Paul, which, after six years of operation, on July 1, 1919, had "deposits" totalling \$3,635,000. In this way the bank takes up the city's obligations at a very favorable rate and saves large sums in interest charges.

Meanwhile, in the summer of 1913, the New York conferees continued consideration of the plan and enlisted the aid of many well-known advisers and especially consulted the banking department of New York state. The thrift bond plan was finally evolved and Herbert R. Sands, then assistant director of the Bureau of Municipal Research of New York city, studied various types of savings methods and examined the practicability of the thrift bond plan. He found that existing methods were inadequate for the task of developing to the fullest possible extent the savings investment ability of the country and that the thrift bond plan seemed to meet all the demands for a universal, safe and convenient system of savings through securities distribution. As a result of the investigation, the National Thrift Bond Corporation was organized under the New York state banking laws and in April, 1917, the first thrift bonds were issued.

The thrift bond is essentially a certificate of participation in the ownership of the soundest possible securities, bought by the corporation and held in trust, these securities being confined to bonds of federal, state, county and municipal governments, representing

at least 10,000 population, in existence fifteen years without defaulting their obligations. Thrift bonds come in \$10 and \$100 denominations, both being negotiable. Coupons are attached to these bonds by which 3 per cent interest is paid. The cost of sale and distribution and the profits of the corporation are met out of the difference in interest rate at which the securities are bought and the thrift bonds sold. In order to make it quite easy to purchase these bonds, thrift receipts are sold in denominations of 50 cents, \$1, \$2 and \$5, these when accumulated to a total of \$10 are exchanged for a \$10 thrift bond. Thrift receipts bear no interest. The receipts and bonds are cashed by the issuing company on short notice at par value. This system, therefore, combines the advantages of the savings bank and of security ownership. It makes the overwhelming advantages of government and local government securities available to the small investor.

### III

The vital phase of the plan is that of distribution. The logical merchandising medium was the store—accessible and convenient. But the war loan campaigns would have been in conflict with such methods and the corporation sought other means. It was reasoned that the greatest service could be done to the nation by concentrating effort on its workers. By extending security-ownership to them many steps towards industrial harmony might be attained. At the same time the government loans might be aided by making it easier for industrial workers to subscribe to war bonds, through the easy savings plan of the thrift bond system. Under the plan as it operates in a hundred plants, the employe designates on a subscription

form the amount he wishes to save each week. In each pay envelope he finds thrift receipts for that amount, which he exchanges for thrift bonds in due time. In this way the savings bank is brought practically to his bench—and there are many other phases of the plan attractive both to the employe and the employer. Over 110,000 workers are saving regularly under it.

Within the past few months the National Thrift Store League has been organized. It is proposed to join together in this league at least one hundred prominent merchants representing department stores in almost every part of the country. They will engage in a nation-wide thrift campaign through the medium of thrift bonds. The members of this league, it is estimated, employ a total of 100,000 men and women and there will, therefore, be this number of potential security salesmen in constant touch with the large mass of the people. The co-operation of manufacturers, schools, churches, fraternal and other organizations will be enlisted and it is planned to use every appropriate advertising and publicity method.

#### IV

There are two aspects which should be of interest to local government officials. How can this system affect their financial operations? How can it influence democracy in action?

The simple, nationwide, centralized organization of the thrift bond savings system means increased volume and reduced costs in the distribution of local government securities. It will, therefore, be possible for the National Thrift Bond Corporation, as its work grows, to offer better prices for these securities than the ordinary bond houses. As the underlying bonds

which are purchased by the corporation are simply deposited in trust company vaults, the present high cost of printing elaborate, engraved documents can be considerably reduced, thus affecting a further saving. As the ultimate market for these bonds will be eventually multiplied many times, it will be capable of absorption of these issues at a much steadier rate. Ultimately, perhaps, a large proportion of local government bonds issued in this country may be distributed through these channels, as the borrowings of all French cities (with one or two exceptions) are now carried on through the Credit Foncier.

The extension of ownership of local government securities to a greater mass of the population should also serve to stimulate citizen interest in the workings of local governments. The increasing proportion of "renters" in cities, who pay city taxes indirectly and, therefore, without concern, will be counteracted by an increasing proportion who participate in the ownership of the city's securities. The National Thrift Bond Corporation has endeavored, as far as possible, to buy the issues of those cities and states where most of its industrial subscribers have been located. Among the governments represented in this list of securities are: New York City; Newark, New Jersey; Cleveland and Columbus, Ohio; Akron, Ohio; Boston, Massachusetts; Hartford, Connecticut; state of Massachusetts and state of New York. These possible effects on citizenship are in addition to the broader social and economic consequences of the democratization of wealth.

The thrift bond savings system illustrates how American business methods and organization may be applied to the constructive solution of problems which lie at the very basis of American democracy.

# THE MUNICIPALITY'S SHARE IN PREVENTING VENEREAL DISEASE

BY GEORGE W. GOLER, M.D.

*Health Officer, Rochester, N. Y.*

## I

IN your city and my city syphilis affects more than 5 per cent of its men, women and children. For gonorrhoea you must double these figures for men and women only. In certain occupations the number of persons affected with venereal disease is three times 5 per cent. Of all the waiters or waitresses who bring food to you, the barbers who care for your tonsorial needs, the policemen, the nursemaids who care for your children, double or treble 5 per cent are affected with venereal disease. This is an estimate. You want proof of its accuracy? Take these figures from various parts of the country and apply the lesson to be gained from them, and then ask if your city is responsible for the share of venereal disease which affects its people. Of 25,633<sup>1</sup> cases of various infectious diseases reported in New York city 28 per cent were syphilis. For several years before the war France lost more than 25,000 persons per annum by death from syphilis. In Prussia, according to official reports, at least 22 per cent of males are syphilitic. The Royal English Commission believes 10 per cent of the population is syphilitic. In the United States careful estimate by conservative authorities place the number of syphilitics at 10 per cent of the population.

Syphilis is one of the chief causes of insanity. From 4 to 15 per cent of all the insane in state hospitals or institu-

tions for the insane are there because of syphilis. In the Government Hospital for the Insane at Washington 20 per cent are there because of syphilis. In a Michigan Hospital for the Insane one third of all the patients who died there, and upon whose bodies careful autopsies were performed, had the organism of syphilis found within their bodies.

In large general hospitals in various parts of the country more than 60 per cent of all the pus operations upon the genito-urinary apparatus of women were done because of the gonorrhoeas usually contracted from their husbands.

In the hospitals throughout the country which conduct the affairs of their patients upon a really scientific basis, all of the patients are carefully examined for syphilis when they enter the hospital as a routine measure. Of many hundreds of patients examined in these large and representative hospitals, the following are the figures:

Micheal Rhees Hospital, Chicago, 28 per cent syphilitic.

Peter Bent Brigham Hospital, Boston, 15 per cent syphilitic.

Johns Hopkins Hospital, Baltimore, 20 per cent syphilitic.

But syphilis is not only found in hospitals, among the insane and abroad. Of that part of the population from which the Army is recruited in time of peace 20 per cent are syphilitic. Of college men and candidates for commissions in the Army and Navy, 5 per cent; of candidates for police (and the same thing would doubtless be true of the fire force), 15 per cent are syphilitic.

From a close study of the subject it is

<sup>1</sup>Statistical material chiefly from Vedder's "Syphilis and Public Health," and Stokes' "The Third Great Plague."

believed by investigators of repute that 10 per cent of married men and women have syphilis; that 10 per cent of marriages involve a syphilitic individual; that 75 per cent of the offspring in these syphilitic families die; that 30 per cent of syphilitic pregnancies terminate in death at or before term; that 30 per cent of living births in syphilitic families die in infancy—as compared with a level rate of 15 per cent in non-syphilitic families.

Williams, chief of the Obstetrical Department of Johns Hopkins Hospital, says: "Syphilis is the greatest cause of death in the unborn." Of 60,000 blind in the United States, more than a quarter of them have been blinded by gonorrhoea. We know that gonorrhoea causes much of the so-called rheumatism in men and diseases of tubes and ovaries in women. We know that syphilis is the cause of various forms of heart, kidney, liver and blood vessel disease; that practically all the apoplexies under 50 are due to it. And yet, syphilis rarely appears in that "bookkeeping of humanity," known as vital statistics, as a cause of death. The cause of death appears as heart, kidney, liver diseases, but the underlying syphilis, the real cause of death, rarely appears. The real causes of death will never appear in our vital statistics until controlled by universal and compulsory autopsies.

## II

Here, then, are two diseases, syphilis and gonorrhoea, known as venereal diseases, affecting men, women, fathers, mothers, sons, daughters—whole families—with disease; in the case of syphilis, handed down from one generation to another, sometimes it affects even the third generation, attacking over 5 per cent of our people. Until the outbreak of the World War

these diseases, and particularly the disease known as syphilis, only began to attract attention to its ravages.

Take syphilis alone! Doubtless first found as a mild disease on this continent and carried to Europe and the then civilized world, by the sailors of Columbus, it spread through Europe like a pest in the late fifteenth and early sixteenth centuries. But as time passed and the people became more resistant to the infection of syphilis, or the organism became less infectious, the disease pursued a milder course. Save for the saddle-nose deformity in infants and children, it leaves few marks readily discernible by the layman on the outside of the body. But it kills the infant before, at and just after birth; and it is responsible for much of the disease of the various organs and systems of the body, chiefly the digestive and circulatory apparatus and the nervous system, for which it has a special affinity. It attacks the body in such protean forms that it led Osler to say: "Know syphilis in all its manifestations and relations and all other things clinical will be revealed unto you." It was a disease early recognized in its more serious forms by the old masters of medicine. Oliver Wendell Holmes said of Ricord (1799–1889), the authority of his day on syphilis: "The Voltaire of pelvic literature—a skeptic as to the morality of the race in general, who would have submitted Diana to treatment with his mineral specifics and ordered a course of blue pills for the Vestal Virgins."

The cause of syphilis was *then* unknown; the cause of gonorrhoea had been discovered; but in 1905 Schaudin found the pale, delicate corkscrew-like, though boring organism of syphilis, *Treponema pallida*. In 1906 Wassermann, using the work of two Belgians, Bourdet and Gôngeau, devised the

Wassermann test. In 1911 Nogouchi, at the Rockefeller Institute, devised the Leutin or Nogouchi test, and in 1910 Ehrlich succeeded in introducing arsenic within the benzol ring and gave to us a compound, "Salvarsan" or "606" for the treatment of syphilis. And Ehrlich, as Behring had done with diphtheria antitoxin, patented the process instead of giving it to the world as Pasteur and Metchnikoff or our own Flexner and Nogouchi gave their discoveries to the people.

Armed with these laboratory tests and with this remedy, physicians felt they had a sure and speedy cure for syphilis. In this they were disappointed; for, notwithstanding the new means of diagnosis, new methods of treatment, syphilis is a disease which, for a time, often pursues such a mild course as to baffle the diagnostic ability of the doctor and to delude the patient into the feeling that there is nothing the matter with him. This disease is so amenable to treatment, so far as symptoms go, as to make both doctor and patient feel that a cure has been effected when only the evident symptoms have been held in abeyance while the disease is still present waiting to manifest itself, within heart, blood vessel, liver, kidney or nervous system. Syphilis is frequently a disease "en masquerade," affecting the skin, the mouth, throat and nose. In its later manifestations it often leaves the skin, especially the face, untouched. But, could we look beneath the skin we would often find nests of corkscrew spirals of syphilis lurking in old syphilitic scars in multiple minute abscesses, waiting for the time to strike at a more vulnerable part of the body of its victim.

### III

This, in brief, is the story of venereal disease as it affects our people. Is

there not in this story some reasons why the municipal government should have a responsibility for the prevention of venereal disease, and also for its treatment? What will the municipality do? It will suppress prostitution, public and clandestine, and care for the prostitute as an erring female, either to be restored to society or to be segregated in an institution until she dies. The municipality will provide for the free examination of all candidates before marriage, and it will prevent the marriage of syphilitics and gonorrhaics just as it one day will prevent the marriage of the insane, and as it now prevents the marriage of lepers. The municipality will provide for an extension of those free municipal laboratories already established, to which all physicians will have access, for the examination of blood and serum, both for diagnosis and treatment. It will, too, establish, both night and day, pay and free clinics, with separate hours for the sexes, where poor persons and those in moderate circumstances may come for treatment, either free or within their means. And it will provide under the police power for compulsory attendance of all persons in whatsoever circumstances, either at the clinics or at the offices of their physicians. It will compel the systematic stated checking up and re-examining of all those affected by venereal disease who have shown themselves to be free from symptoms and with negative laboratory findings, to be sure that there is no return of the disease. And it will ultimately provide for the determination of the diagnosis of all those who have died, by autopsy and laboratory study of the organs of the dead, so as to be sure that all persons dying within the municipality may have a real record of death set opposite their names. Autopsies will be conducted for the benefit of the living. Universal

autopsies would revolutionize the practice of medicine. Not only would a vast deal of information be furnished to the doctor, but the doctor would be more careful in his diagnosis if he knew that after death the body of his patient was to be subject to an examination which would in effect be placing his diagnosis and treatment on trial. Autopsies were universal in the Army during the war and the increased sum of knowledge which has come to medicine as a result of these autopsies will result in a very great improvement, both in methods of diagnosis and treatment.

Ultimately the municipality will do all this and more for those venereal diseases which cause such frightful mortality; for many of the people whose deaths are put down as heart, kidney and liver diseases, apoplexies, rheumatism, nervous disease, insanity, really die of syphilis. Much of the rheumatism of men and the tubovarian disease of women is due to

gonorrhoea. For all this the city must assume responsibility. It will do so at first not because it desires to improve morals or health, but because it will be forced to do so by economic pressure. Children are no longer imported from Europe. The labor market there is giving out. We are going to have to depend for our vast industries on our own people and their offspring; so we must take care of our people. Our people must be born well to live well. So we will suppress prostitution, insure the chastity of women by an improved economic system, treat venereal disease and keep the patient under control, by the police power if necessary, until all signs and symptoms have disappeared, so that the disease, even in latent form, may not be handed down to the generations as yet unborn; so that the potential fathers and mothers of this generation shall provide in the generation to come a state and a city free from venereal disease.

# THE FATE OF THE FIVE-CENT FARE

## X. MINNEAPOLIS KEEPS HOME RULE AND THE FIVE-CENT RATE

BY WILLIAM ANDERSON

*University of Minnesota*

*The necessary basis for fair dealing between the street railroads and the people is scientific valuation, but as no one knows what that is and the United States Bureau of Standards still refrains from the task of setting up standards in this field, Minneapolis, for instance, gets figures that are \$10,000,000 apart! :: :: :: :: ::*

THE present fifty-year exclusive franchise of the Minneapolis Street Railway Company will terminate on July 1, 1923. Under this franchise, as modified in 1890 and subsequently, the car-rider is given the right to ride from any point in the city to any other point on payment of a five-cent fare. The city council may regulate service, provided it does not go to the point of confiscating the property, but it has no power to compel the construction of extensions and none to reduce the unit fare per ride below five cents. The latter point was finally decided in 1910 in litigation over the six-for-a-quarter ordinance of 1907.<sup>1</sup>

### MOVEMENT BEGUN FOR A NEW FRANCHISE

Confronted by steadily rising costs of operation, and the prospect of the early termination of its Minneapolis franchise, the Twin City rapid transit company, a New Jersey corporation which holds the stock of the Minneapolis, St. Paul, and other operating companies, proceeded as early as 1914 to pave the way for a modification and extension of its Minneapolis franchise. The Minneapolis civic and commerce association lent its aid in

1915 to secure the passage of the so-called "Enabling Act" empowering the city to open negotiations with the company for a new grant. Powerful opposition developed during the passage of this bill and it was necessary to amend it to make it more favorable to the public.

The city was cautious and deliberate about proceeding to negotiate with the company. On August 27, 1915, the council directed the city engineer, Mr. Cappelen, to proceed to an appraisal of the property. Not until September, 1916, was the work completed. He found the fair value of the property as of January 1, 1916, to be \$25,914,308. Certain groups in the city thought this valuation excessive, and that fall Mr. Thomas Van Lear, a member of the Socialist party, was elected mayor after a bitter campaign in which he called upon the voters to "stop the \$15,000,000 street car franchise grab."

For the next two years, due to a combination of causes, little progress was made toward a solution. Mayor Van Lear called in a Mr. Hogarth, an engineer from the Socialist administration in Milwaukee, who arrived at an extremely low valuation of the property. In January, 1918, the central franchise committee, representing various civic organizations, presented

<sup>1</sup> *City of Minneapolis v. Minneapolis Street Railway Company*, 215 U. S. 417.

a majority and a minority report on the valuation, the former being \$21,-279,932 and the latter \$15,470,360. In the meantime the city council had grown somewhat doubtful of the Cappelen valuation. It engaged Mr. C. L. Pillsbury, a consulting engineer, who rechecked and analyzed the Cappelen figures with the result that he reduced the total to \$24,346,113.

The various valuations as of January 1, 1916, were as follows:

Street railway company's figures . . .	\$35,323,376
City Engineer Cappelen's figures . .	25,914,308
Engineer C. L. Pillsbury's figures . .	24,346,113
Central franchise committee major- ity figures . . . . .	21,279,932
Central franchise committee minor- ity figures . . . . .	15,470,360
Engineer Hogarth's figures . . . . .	13,608,730

As the war progressed, the company fell into even greater difficulties. Labor troubles multiplied. Equipment was hard to get. It was impossible to borrow money for extensions. Gross earnings failed to keep up with the rise in costs of operation. To cap the climax, the mayoralty election of 1918 became a contest between two men both of whom were publicly committed to a low street railway valuation. The incumbent, Mayor Van Lear, favored the Hogarth valuation. His opponent, J. E. Meyers, had signed the minority report of the central franchise committee. Whichever won, the company was likely to find the mayor a strong opponent of any settlement embodying a high valuation.<sup>1</sup> There was but one way out for the company, namely an appeal to the legislature to put the street railways under state control.

#### MOVEMENT FOR STATE CONTROL

In due course the people saw introduced by a rural member of the legis-

<sup>1</sup> Mr. Meyers was elected.

lature, in the session of 1919, a bill to end local control of street railways. In explaining his advocacy of the measure the introducer naively stated that, although he was not from the Twin Cities, he was interested "because 10,000 persons from outside Minneapolis and St. Paul ride on the Twin City lines every day." It was quickly discovered that the bill, while purporting to increase the powers of cities to control their transportation systems, actually authorized street railway companies to surrender up, and thus escape the obligations of, their franchises, and to receive in lieu thereof indeterminate permits. By this means their rates of fare, formerly fixed, were to be made subject to change at any time, while the power of regulation was in the last analysis transferred to the state railroad and warehouse commission. Once the character of the bill became known, the state municipal league, together with leading officers and citizens of the larger cities, carried on such a vigorous opposition campaign as to defeat the bill in the house, where it originated, by a vote of more than two to one.

#### DRAFTING A FRANCHISE

Again the companies had to take up negotiations with the cities concerned. By this time in Minneapolis the franchise movement was well under way. The city attorney, with the aid of Mr. Stiles P. Jones, secretary of the central franchise committee, was rapidly perfecting a draft service-at-cost franchise. Numerous blanks were left to be filled subsequently by the company and the council—one for the agreed valuation, another for the rate of return, and so on. This draft went to the street railway committee of the city council early in 1919. Its first decision was a tentative agreement

upon a \$24,000,000 valuation and a 7 per cent return. During the summer the committee held a series of public hearings in the course of which it perfected and finally adopted a complete franchise. Mr. Bion J. Arnold of Chicago gave some assistance to the council in perfecting the details. The company kept in close touch with the matter throughout this stage of the proceedings, leaving the committee at no time in doubt as to its attitude on the major points at issue.

The proceedings of the council on the day set for the final vote were enlivened by the appearance of Mayor Meyers, who made solemn protest in word and writing against the passage of a franchise which he criticized as allowing an excessive valuation and too high a rate of return, and as violating the enabling act in several particulars. It was his first official appearance throughout the entire proceedings. At the end of his address his sincerity was challenged by one of the majority aldermen who asked him why he had not given the council the benefit of his counsel earlier in the proceedings. His answer was that he had desired to do so, but had been expressly informed by the chairman of the street railway committee that the fundamentals, namely the valuation and the rate of return, had already been agreed upon in advance and could not be considered. "When I was informed that there was no possibility of opening these points I saw no reason, in view of my other duties, for going into the matter."

The franchise was adopted by the council on September 3 by a vote of 16 to 10, the opposition comprising the seven Socialist members of the council and three other members from labor wards. With what seemed to some people undue haste, the company accepted the proposed franchise. The

company, which had forty days in which to do so, filed its acceptance within about as many hours.

#### THE PROPOSED FRANCHISE

The substance of the proposed franchise can be briefly stated. It authorized the company to continue to operate a street railway system in the city's streets for an initial period of twenty-five years, and thereafter "pending purchase by the city or other disposition of the property" for an indeterminate period. But such continued operation beyond the term of the grant was not to be "construed as a renewal or extension of the present grant." The city expressly reserved the right of purchase at the agreed valuation plus additions, at the end of each five-year period, and also the right to acquire the property by condemnation.

The valuation agreed upon was \$24,000,000 as of January 1, 1919. This figure approximated Mr. C. L. Pillsbury's result, but since it was an agreed lump sum it was difficult to attack in detail. Extensions and additions to the plant during and after 1919 were to be added to this value at cost. Upon the valuation of January 1, 1919, the company was to be allowed a return of 7 per cent cumulative, payable quarterly. Upon all additions it was to be allowed the interest necessary to secure the required capital, plus 1 per cent cumulative. This return, while not guaranteed by the city treasury, constituted a charge against gross earnings prior in right to all payments to the amortization and surplus earnings funds, and preceded only by the charges for operating expenses, depreciation, personal injuries, and taxes.

The company was given the power to regulate the rate of fare without

upper or lower limit. A fare stabilizing fund of \$250,000 was to be created to be increased from time to time by the addition of surplus earnings. The initial fare of five cents could be reduced or increased as the fund waxed fat or grew slender. Out of any surpluses over \$250,000 in this fund, the council could direct that certain sums be transferred to the amortization fund, established for the purpose of eliminating all intangible values from the capitalization. The city treasury was to profit in no respect from the company's earnings.

The council was apparently given the full power to regulate the service. It was to appoint a street railway supervisor and his necessary assistants, whose salaries and expenses were to be paid by the city in the first instance and charged by the city to the company. The council was empowered to regulate in detail the operation of cars upon existing lines, and also to order extensions to be made. A list of six extensions to be built in 1920 and thirteen others to be constructed at an early date was given in the franchise itself. The company agreed to carry out all orders for better service and for extensions, subject to the important proviso, "that such observance of and compliance with the orders of the city council by the company will not impair the payments or funds specified in section 9 hereof."

This proviso simply meant that all operating expenses, depreciation charges, personal injuries, and taxes, *and payment of 7 per cent cumulative on the agreed valuation, together with 1 per cent to the company on all new capital, over and above the necessary interest, together with a few minor payments, had first to be provided for.* Only when it was clear that these would be taken care of could the company be obligated to obey the council's

mandates. As the opponents of the franchise phrased it, 7 per cent came first, and service second. Even in case the company should refuse to obey the council's orders for extensions or permanent improvements, this return could not be reduced below 6 per cent.

The next step in the proceedings, under the terms of the enabling act, was to get the consent of the people. As a matter of fact there intervened a court action in which the mayor, supported by nine of the ten dissident aldermen, tried to enjoin the holding of the special election. He alleged that sundry violations of the charter and the enabling act had taken place, chief of which was this: That, although the charter gave the mayor the veto on all ordinances, and although the enabling act required the franchise to be adopted "by ordinance," nevertheless the council did not submit the franchise to the mayor for his approval. Upon studying the language of the enabling act, both the Hennepin county district court and the state supreme court rejected this view, and all of the other contentions. They held that the mayor had no veto upon the franchise, and that the draft conformed in all respects to the requirements of the enabling act. The question then went to the people.

#### THE CAMPAIGN FOR ADOPTION

The campaign which preceded the election was an unusual demonstration of the possibilities and limitations of direct legislation by the electorate. The franchise upon which the voters had to pass made a pamphlet of sixty-six pages and approximately eighteen thousand words. In the official newspaper it filled more than twelve columns of solid fine print. Its thirty-seven articles contained numerous highly detailed and intricate provisions,

upon the meaning of which the leading authorities for and against the franchise differed to the very hour of the election. Naturally enough, many of the voters were bewildered.

The franchise had no sooner been passed than it became clear that two groups in the city were definitely committed in advance. One faction, dubbed "the Socialists" by their opponents, although they certainly do not form one political party to-day, were mainly opposed to the grant. On the other hand, a large group of downtown business men were for it. There was in the third place a considerable group of intelligent men,—workmen, professional men, businessmen,—who were at the outset neither informed nor committed on the franchise. They were the largest class of voters of all, and the least organized. It was they, however, who decided the election.

It is safe to say that no special election since 1900 aroused the intense interest and widespread discussion evoked by the proposed franchise. With the exception of the so-called Socialist group, the opposition were not at first well organized, but as the campaign entered its last month they picked up splendidly. Mayor Meyers and ex-Mayor Van Lear, opponents in 1918, found themselves fighting side by side against the franchise. While not so well equipped with funds for advertising, the opposition to the franchise carried on an excellent speaking campaign. Those favoring the franchise, better organized and financed from the beginning, made a poorer showing on the platform but were far stronger on the side of newspaper advertising and the issuance of pamphlet material. The weekly *Rapid Transit News* could be had free at all times in the street cars. Copies of the franchise were liberally distrib-

uted, and there were full-page advertisements in the leading newspapers every day. Much of this material was carefully read by the voters.

Despite the extreme complexity of the entire question, public attention was early concentrated upon not over four or five salient points. In the *first* place, the opposition hammered away at the valuation, alleging that it was too high. The Meyers group said \$16,000,000 would be more nearly correct; the Van Lear group put the figure even lower. Too much, they said, had been added for going concern value,—and too little deducted for depreciation. *Second*, the rate of return was too high, they averred, and when coupled with the high valuation amounted to flagrant extortion. High fares would undoubtedly result. *Third*, good service was no more assured under this franchise than under the old. By the terms of the franchise the 7 per cent return had first to be assured before better service could be required. In the *fourth* place, near the end of the canvass, the opposition claimed to find a "joker" in the franchise in the form of a clause in the section on purchase which would permit a bare majority of the council at any time, without a vote of the people, to force the city into public ownership. This argument did not have the best possible foundation in law, and there were learned opinions to the contrary. Notwithstanding, the argument was used with telling effect. Even the Socialistic group laid stress upon this point, for they opposed having the city buy the plant in any case at what they considered an excessive valuation.

There were other arguments, too, but the result was, in part at least, determined by non-rational causes. In the first place the people remembered only too well how, in the days of its prosperity, the company had fought

the six-for-a-quarter ordinance and had insisted upon the flat five-cent fare. Then, too, an early winter had brought much snow and cold to the city during the three or four weeks before the election. Due in large part, no doubt, to this cause, the street-car service was unquestionably very poor during the franchise campaign. Many voters, however, attributed the poor service to an intent on the part of the company to give a "horrible example" of poor service in order to convince the voters of the need of a new franchise. Those who put this construction upon the unfortunate condition probably voted against the franchise in considerable numbers. Finally the leaders of the campaign for the franchise committed the crowning indiscretion of charging that the bulk of the opponents of the franchise were Socialists, Communists, I. W. W.'s and Bolsheviks. They challenged the independent voter to line up on that side if he dared, and he accepted the challenge.

#### DEFEAT OF THE FRANCHISE

The day of the election was cold, and there was snow in the air. Nothing deterred; over 53,000 voters of the 70,000 registered went to the polls to vote on this single question. In the second ward, an industrial district, but also the location of the state university, more votes were cast than in the 1918 general election. The result was the defeat of the franchise by over 7,000 votes.

#### WHAT OF THE FUTURE

The situation to-day is this: Minneapolis, having defeated successive attempts to deprive her of local control of her street railways, has now defeated a franchise under which she was promised carline extensions and better service, but at the cost of higher fares.

She retains home rule and the five-cent fare, but she has done nothing constructive to solve her transportation problems. Affairs are simply in *statu quo ante*. The service is poor. There is no money, says the company, either to build extensions or to improve the service. To be sure, the council has already ordered the city attorney to proceed against the company to compel the construction of two new lines, but unless the company finds it good policy to cast its bread upon the waters, to do something handsome for the city just to restore good feeling, little is to be expected but litigation.

There is no question that the next move should come from that group opposed to the late franchise, represented by Mayor Meyers and the minority of the central franchise committee. They have defeated one proposal; what constructive measures they will propose do not yet appear. If their solution is not ready for submission before the next legislature meets, it is almost certain to be confronted with a new demand from the company, and a demand more compelling than ever, to transfer them to the jurisdiction of the state railroad and warehouse commission. There will be influential representatives from Minneapolis to present this view. They will be equipped with the very plausible argument that "home rule has failed." The legislature, which has already threshed this old straw many times, and which has long been restive under the burden of passing on so many of Minneapolis' problems,<sup>1</sup> will be strongly inclined to settle this question once for all by establishing state regulation.

<sup>1</sup>The largest city in this home-rule state, Minneapolis is still without a home-rule charter. Every attempt to adopt one has been defeated. The result is that Minneapolis still relies on legislative action for changes in its charter.

# THE SECOND PROPORTIONAL REPRESENTATION ELECTION IN KALAMAZOO

BY AUGUSTUS R. HATTON

*Kalamazoo (population 50,000) has a close copy of the National Municipal League's model charter and as it is the largest American city electing its council by proportional representation, the story of its second election is important evidence.*     ::     ::     ::     ::

A YEAR and a half ago, the story of the first proportional representation election in Kalamazoo was told in these pages.<sup>1</sup> The second election, held on November 4, 1919, was even more interesting and instructive. At the first election, the contest swirled about the name and personality of Truxton Talbot, Socialist, labor leader and editor of a small weekly newspaper. At the second election that struggle was all but forgotten. Talbot, as a member of the city commission, had not fulfilled the dire prophesies of his opponents of 1918 and, in the meantime, important issues had arisen which turned public attention to policies rather than to personalities. These issues were the proposal to issue \$1,260,000 of bonds for the extension of the municipal lighting plant, the policy of the commission in establishing a municipal coal yard, and the continuance of the proportional representation system of choosing the commission. As the entire commission is renewed at each election there was an excellent opportunity to pass on the policies and personalities of the first commission chosen under the present charter. All the commissioners except one stood for re-election and, altogether, there were twenty-four candidates for the seven places to be filled.

<sup>1</sup> NATIONAL MUNICIPAL REVIEW, vol. 7, pp. 339-348.

## THE LOCAL ISSUES

The extent to which the ground of municipal politics had shifted since April, 1918, may be briefly indicated. At that election Talbot and some of the candidates endorsed by him were opposed as representing all that was undesirable in socialism. For the election last November the Socialists nominated a ticket of seven and neither the name of Talbot nor of any of his associates of 1918 appeared in that list. There were many people who opposed Talbot in 1918 who, a year and a half later, were ready to declare that it was a good thing to have him on the city commission. Some of his former opponents even voted to continue him in office. A weekly paper published in the interest of the Catholic church declared, "Perhaps no commissioners have given more time or have been more active for the people than Dr. Butler and Mr. Talbot who deserve, on account of their earnest work, re-election." (Next to the election of Talbot in 1918 that of Dr. Butler had caused most consternation.) In the same issue of this paper, and in the same column with the above statement, there appeared an answer to the question, "Why are Catholics opposed to socialism?" This was as scathing a denunciation of socialism as the most confirmed supporter of the capitalist system could wish!

And yet the great underlying issue of the campaign was the municipalization, or socialization, of additional activities. During the year the commission had established a municipal coal yard for selling fuel in small quantities at cost. This startled the coal dealers. An investigation of the feasibility of supplanting the private distribution of milk by a municipal system aroused another group. Finally the commission, by unanimous vote, proposed to issue bonds to the amount of \$1,260,000 for the purpose of extending the electric light plant. The city has operated a plant for a number of years for public lighting and it was now proposed to extend this plant so as to sell current to private users.

Upon these issues the opposition united and formed an organization called the citizens' voters league. While the attack was centered on the bonds for extending the lighting plant, an effort was made to draw together all elements of opposition in the city. A bid was made for the votes of the original opponents of the new charter and particularly of those opposed to proportional representation. On the latter subject a special bulletin was issued which attacked proportional representation as un-American, confusing, a scheme on behalf of the few against the many, making it impossible for the voter to express his full will, involving a big element of chance, placing arbitrary power in the hands of election officials, not providing for majority rule and as making a recount of votes impossible. Absurd as most of these charges were, they undoubtedly had some influence. No attempt to answer them was made by those who believed in the system. The leaders were too busy fighting for the passage of the lighting plant bonds. As a result the constantly reiterated and uncombated

statements that the Hare ballot is difficult to understand and mark undoubtedly made an impression on the voters and possibly kept some from the polls.

The citizens' voters league sponsored a ticket of five candidates standing, in some cases none too definitely, against the lighting bonds, further "socialistic" experiments and proportional representation. The league at the outset endorsed seven candidates but two repudiated its platform and stood as independents. The socialists, as already stated, nominated a full ticket of seven. The six commissioners who were willing to be candidates for re-election stood on their records, including the proposal to issue the lighting bonds. In addition to the eighteen candidates representing the three groups mentioned, there were six independents, one of whom, at least, stood on a definite platform.

#### THE NEW COMMISSION

The result of the election is an interesting study in discriminating voting. The lighting bonds lacked 53 of a majority, and 519 of the two-thirds majority required. At the same time only one of the candidates endorsed by the citizens' voters league was elected, and there was no apparent connection between his success and the support of the league or his endorsement of its platform. He is a man of wide acquaintance and popularity in the city, a former alderman and a representative of the larger Dutch element in the population. Four of the six commissioners standing for re-election were successful. These were Dr. W. E. Upjohn, then mayor, A. J. Todd, Truxton Talbot and Dr. Paul Butler. The remaining two places went to independents, one to Captain C. R. Myers, a young and popular soldier

who distinguished himself in France, and the other to Alexander Velleman, a leading merchant and the only independent candidate having a definite platform. The seven Socialist candidates received first choice votes varying from 12 to 59.

An analysis of the election results indicates that, on the whole, the voters approved the work of the outgoing commissioners, although defeating the proposed lighting bond issue. As to that question the voters do not seem to have been influenced by the "anti-socialist" arguments of the citizens' voters league. That organization was careful to say that its opposition to the bonds was not to be regarded as opposition to municipal ownership but to the proposition to embark on extensive expenditures during the period of high prices. This was declared time and again in the advertisements and other published statements of the league. At the same time the league did try to take advantage of whatever sentiment there might be against the expansion of municipal effort into fields hitherto regarded as private. In a separate folder objection was expressed to "using the taxpayers' money to enter into private business" and to the continuance of the municipal coal yard. A warning was also uttered against the possible extension of what was alleged to be a dangerous tendency. It is very doubtful whether this "viewing with alarm" influenced many voters. One gets the impression in Kalamazoo that the municipal coal yard is rather popular. On the other hand the voters were persuaded that the present is not a favorable time to make large expenditures for the extension of a public utility. There were good arguments on the other side but the fact remains that the opponents of the lighting bonds made their point with the voters while the proponents

of the bonds failed to do so. It was in this state of mind that the voters re-elected four of the six commissioners who were candidates and defeated their bond issue for electric light extension.

#### THE DEFEATED COMMISSIONERS

One of the defeated commissioners, George Martin, was regarded as the most conservative man of the commission while the other, William Shakespeare, Jr., was classed with the more radical element. As to Martin, his defeat was probably due to the widely held opinion that, because of his employment in an establishment in which Dr. Upjohn is largely interested, he was not in a position to act independently and thus adequately represent those who had elected him in 1918. Personal confidence in Dr. Upjohn was indicated by the fact that he received more first-choice votes than any other candidate. However, it was a common remark that he ought not be placed in a position to control two votes in the commission. Moreover, Martin clearly owed his election in 1918 to the more conservative portion of the electorate. His course in supporting the municipal coal yard and the lighting bonds lost him much of that support in 1919 and gave color to the suggestion that he was too prone to follow Dr. Upjohn who was a leader in both of those movements. In the opinion of the writer this attitude was not entirely fair to either Dr. Upjohn or Mr. Martin. On the other hand it must be admitted that Martin's record on the commission did not entitle him to re-election at the hands of those who were opposed to the expansion of municipal activities.

The defeat of Shakespeare calls for a different explanation. In many respects he is the most interesting figure

in a city which, for its size, can probably boast more interesting figures than any in the United States. No man in Kalamazoo has so consistently fought for advanced ideas in the government of the city or given as much time to its interests. Manufacturer, employer, radical in his economic thinking, honestly trying to apply his theories in the conduct of his own business, a dreamer striving to translate dreams into facts, unselfish to a fault, fearless in fighting for what he believes to be the public good, gentlest and most lovable of men—such is William Shakespeare, Jr. And yet it was a logical result of the situation last November that, of the commissioners seeking re-election, Shakespeare should have received the smallest number of first-choice votes and should ultimately have been defeated. In spite of his advanced views, his position as a manufacturer and employer did not precisely qualify him as a representative of labor. Talbot and Dr. Butler were regarded as more nearly fulfilling the requirements in that respect. His record on the commission and his well-known views made it impossible to class him as a moderate and lost him the support of the employing class and of conservatives in general.

The election of Alexander Velleman is worthy of special comment. He is a merchant of liberal tendencies and was one of the candidates endorsed by Truxton Talbot in 1918. At the last election he stood as an independent. Had he been a member of the commission in 1918–19, he would, undoubtedly, have voted to establish the coal yard and for the issuance of the lighting bonds. But in the campaign last autumn he steered clear of these issues, announced a program of his own and kept himself and it before the public by newspaper advertising. No other

candidate, with the possible exception of Talbot, made a strong individual campaign. The commissioners standing for re-election took the position that their record was their platform and was, therefore, sufficiently known to the voters. They even placed the city manager in the indefensible position of conducting the campaign for the lighting bonds which they proposed to issue. Under these circumstances the individuality of Velleman stood out sharply and at least one part of his platform made a strong popular appeal. As a result he shared with Dr. Upjohn the honor of being elected by first-choice votes.

#### REASONS FOR THE LIGHT VOTE

The election brought out a disappointingly light vote, only 5,997 ballots being cast. The total possible registration, including women, would probably reach 20,000. The opponents of proportional representation charged that the light vote was the result of the system of voting. Even the *Gazette*, which has been mildly friendly to proportional representation, said in commenting on the small vote:

The chief reason, undoubtedly, is the determination on the part of a very large part of the electorate not to try and understand the proportional representation system of elections and to refrain from voting as long as that system is provided by the city charter. That is foolish, of course, but nevertheless a very patent fact and one that the community must face. . . . There is no question in our minds of the superiority of proportional representation over the old system of partisan ward elections. Its superiority, however, amounts to naught if the electors will not make use of it to express themselves; if the mass of the electors stay at home rather than take the trouble of discovering for themselves how it may be used. Our candid opinion after yesterday's election . . . is that so far as Kalamazoo is concerned, proportional representation is a failure. We base this

opinion mainly upon the fact that it repelled instead of attracted the voters to the polls.<sup>1</sup>

This editorial opinion of the one daily paper published in Kalamazoo is cited because it is the strongest possible statement of the local case against proportional representation. However, from its broad conclusions a careful observer will find much to dissent. In the first place there is no tangible evidence that the light vote in Kalamazoo was due chiefly to the system of voting. The estimated registration of something over 20,000 included women, who were to participate for the first time in a municipal election. As might have been expected the women voted in very much smaller numbers than the men, thus greatly increasing the margin between the potential and the actual vote. Moreover, there was no active effort to get out the vote such as we have come to expect in American elections. The inclement weather of election day also, doubtless, had some effect on the voting. Finally, there is evidence that in other Michigan cities the vote was correspondingly light under entirely different systems of election. In Jackson, somewhat larger than Kalamazoo, and with a correspondingly larger potential vote, only 8,628 ballots were cast for mayor although there was a hot campaign for the election of mayor and commissioners and a special effort was made to get the voters to the polls. It is an interesting fact that some persons in Jackson charged the light vote to the election of commissioners at large rather than by wards. In Flint, which claims to be twice the size of Kalamazoo, only 3,313 votes were cast on the question of adopting a new charter.

The fact is that an unusual degree of indifference to civic duties is now

characteristic of the American people as a whole caused, no doubt, by reaction from the emotional strain of the war. Practical politicians and other acute observers have noted this condition the country over, and to it is probably due in some measure the light votes in many places. At any rate there never was a time when one should be more cautious in claiming that any particular system of voting keeps electors from the polls.

#### THE COUNT

Out of the total 5,997 ballots cast in the last Kalamazoo election, 273 were invalid, or approximately 4.5 per cent. This was a somewhat higher percentage of invalid ballots than at the election in April, 1918. The cause of the invalidity was the same in a great majority of the cases—the use of crosses in indicating a choice of candidates instead of figures. Strangely enough, it now appears that the greatest practical difficulty which voters have in learning to use the Hare ballot lies in overcoming the habit of marking ballots with crosses. Ever since the so-called Australian ballot was introduced in this country we have been indicating our choice of candidates by marking crosses opposite their names. The Hare system of proportional representation requires the use of figures instead of crosses. One method is really just as easy to use as the other, but we have so long been accustomed to crosses that the change to figures temporarily confuses some of the voters. Precisely the same sort of bewilderment took possession of a portion of the electorate when the change was made from party-printed ballots to the Australian system thirty or forty years ago. At that time party leaders were so impressed with the difficulties of the new device that voters were

<sup>1</sup>*Kalamazoo Gazette*, November 5, 1919.

sometimes assembled in groups and drilled in the marking of their ballots.

With 5,724 valid ballots and seven places to be filled, the quota was 716. The first-choice votes of two candidates exceeded the quota, Dr. Upjohn receiving 963 and Mr. Velleman 801. The next ten candidates stood in the following order of first-choice votes: Butler, Talbot, Ten Busschen, Myers, Sergeant, Fox, Martin, Inch, Todd, VanderHorst. The first six candidates in number of first choice votes were elected and the seventh place went to Todd who stood eleventh on the list. As a member of the commission the work of Todd had been efficient and thoroughly satisfactory. The small number of first choices which he received was apparently due to the expectation of a large majority of the voters that his re-election was a matter of course. As a result many who desired his re-election marked their ballots with a first-choice for candidates whom they favored, but whose success did not seem so well assured, and gave Todd a later choice. The result was a splendid vindication of the logic and accuracy of the Hare system. With each successive transfer of votes Todd steadily gained, his greatest increment coming from the surplus votes of Dr. Upjohn and from those of Martin when that candidate was declared defeated and dropped.

Again as in April, 1918, the work of the central counting board was excellently done. The board was considerably delayed owing to the failure of one precinct to send in its ballots promptly. The actual count and transfer began at half past twelve Tuesday night and was completed by seven-thirty Wednesday morning, consuming in all about seven hours. The board was at all times master of the situation and the work was done without hurry or confusion. After this second dem-

onstration in Kalamazoo, reinforced by the experience of other cities, the answer to the question of the possibility of counting and transferring the Hare ballot in an actual election is conclusive. It can be done readily and within a reasonable time.

What of the commission chosen in November as compared with the one which it succeeded? It has already been stated that six of the outgoing commissioners were candidates and that four were re-elected. The one commissioner who did not seek re-election is a man of unusual ability, and it is doubtful whether any of the new men are equal to him in that particular. For all that the new commission is a very able one—so able, in fact, that most American cities would consider themselves fortunate if they had a governing body as capable. As regards its representative character the new commission is probably slightly superior to its predecessor. To use the words of the *Gazette*, "the new commission is thoroughly representative of that portion of the electorate which did its duty and went to the polls."

#### THE LEGAL ATTACK ON PROPORTIONAL REPRESENTATION

Even before the campaign last November a *quo warranto* suit had been instituted against the then commissioners upon the ground that proportional representation is not permissible under the constitution of Michigan. The particular provisions of the constitution which the system is alleged to contravene are Section 1 of Article III which reads, "In all elections, every inhabitant of this state . . . shall be an elector and entitled to vote," and Section 25 of Article VIII, providing that "no city or village shall have power to abridge the right of elective

## ELECTION OF COMMISSION

## RESULT SHEET

NUMBER TO

Name of Candidate	Total First Choice Ballots	Transfer of Surplus Upjohn	Transfer of Surplus Velleman	Result	Transfer of Scott Ballots	Result	Transfer of Van Worden Ballots	Result	Transfer of Smith Ballots	Result	Transfer of Van Broeke Ballots	Result	Transfer of Aukerman Ballots	Result	Transfer of Hallett Ballots	Result
H. T. Aukerman.....	29	1	0	30	1	31	2	33	1	34	3	37	-37	D		
Paul T. Butler.....	607	43	17	667		667	5	672	1	673	2	675	4	479		684
Fred Currier.....	125	5	2	132		132		132	1	133	1	134	3	137	3	140
E. M. Curry.....	59	1	1	61	3	64	1	65	4	69	3	72	13	85		85
Frances E. Deal.....	75	5	1	81		81		81		81		81		81	1	82
C. Allen Fox.....	259	8	2	259		269		269		269		269		269	2	271
F. A. Gallagher.....	102	2	2	106		106		106		106	4	110	5	115	1	116
Wm. B. Hallett.....	35	3	1	39		39		39	1	40		40	1	41	-41	D
Florence E. Inch.....	211	16	4	231		231		231		231		231		231	2	233
Carl L. Larsen.....	39	1	2	42		42		42		42	2	44	6	50		50
Geo. E. Martin.....	228	28	2	258		258		258		258		258		258	5	263
C. Rhuel Myers.....	291	17	2	310		310		310		310		310		310	2	312
Leslie G. Scott.....	11	0	0	11	-11	D										
E. M. Sergeant.....	275	4	7	286	2	288		288		288		288		288	1	289
Wm. Shakespeare.....	181	22	6	209	2	211	2	213	2	215	3	218		218	3	221
Alfred R. Smith.....	20	0	0	20	3	23		23	-23	D						
Truxton Talbot.....	504	12	10	526		526	2	528	5	533	6	539	5	544	8	552
A. Ten Busschen.....	493	10	9	502		502		502	2	504	2	506		506		506
Albert J. Todd.....	194	54	3	251		251		251	1	252		252		252	3	255
Wm. E. Upjohn.....	963	-247		716		716		716		716		716		716		716
Guy Van Broeke.....	30	1	0	31		31		31	2	33	-33	D				
H. L. Vander Horst.....	190	13	13	216		216		216	1	217	2	219		219	2	221
Jerry Van Worden.....	12	1	1	14		14	-14	D								
Alex Velleman.....	801		-85	716		716		716		716		716		716		716
Non-transferable Ballots.....							2	2	2	4	5	9		9	3	12
Total Valid Ballots..	5724	247	85	5724	11	5724	14	5724	23	5724	33	5724	37	5724	41	5724

franchise." That there is anything in this language precluding that use of proportional representation in a municipal election it would be difficult to see. In 1890 the supreme court declared unconstitutional an act of the legislature which provided a system of cumulative voting for the election, from certain counties, of members of the lower house of the state legislature.<sup>1</sup> That case is clearly distinguishable, both as to the question involved and as to its reasoning, from the present case involving the election provisions of the Kalamazoo charter.

The judge in the circuit court of Kalamazoo county, before whom the case was argued, handed down an opinion on January 3 holding the Hare system as provided in the Kalamazoo charter unconstitutional. In the mind

<sup>1</sup> *Maynard v. The Board of Canvassers*, 84 Michigan, 238.

of the judge the conclusive argument seemed to be that, under the Hare system, the ballot of any voter would only be counted for one candidate though several choices might be expressed and seven commissioners were to be chosen from the city at large. To quote his language, "Does the provision of our constitution give to the elector the right to vote for every officer elected within the district he is chosen from? I believe it does. . . . This is, in my judgment, the holding of our supreme court in the Maynard case though it may be considered dictum. . . . An elector cannot under this system vote for more than one officer, even though he votes for as many choices as there are candidates, because by the method of counting votes his ballot counts for but one candidate. It may be that this system does give both a majority



highest state court as to whether proportional representation is permissible under the present state constitution. Whatever the final outcome, Kalamazoo will have given a valuable and satisfactory demonstration of the soundness and practicability of the Hare system of proportional representation.

#### ONE LESSON

There is one lesson from the experience with proportional representation in Kalamazoo, and particularly from the attacks against it there, which believers in the system should take to heart. Unfortunately their attitude so far has been that typical of reformers. Having written their reform into law they have straightway forgotten that the electorate needs education in the use of the new instrument and that the change to be secure must be buttressed by informed public opinion. This is desirable in the case of all reforms; it is particularly important in the case of proportional representation. For here is no ordinary change in political method, but a fundamental alteration in the conception and practice of representation hitherto prevailing in this country. It necessitates adjustments in political thinking and habits. It upsets the system of control laboriously built up by political managers and manipulators.

It throws down the gauntlet to political intolerance which rises to fight it as a deadly enemy. The method of marking and counting ballots which it introduces is new and strange and, therefore, particularly subject to misunderstanding and misrepresentation. Thus proportional representation not only has to overcome that political inertia which is always an obstacle to change but inevitably raises against itself an unusual weight of prejudice, stupidity and selfishness.

The lesson to be learned is that education in the meaning and use of proportional representation should not only precede its adoption but should continue for some time thereafter. The opponents of the system do not retire from the field with their initial defeat at the polls. They were vociferously active during the last campaign in Kalamazoo. Their charges were in nearly every instance unsound, absurd and even unfair. Nevertheless, they made an impression because no one answered them. There was not even a systematic effort to call the attention of the voters to the manner in which the ballot should be marked. On the Sunday before the election the *Gazette* carried an editorial explaining how to mark the ballot for commissioners. That represented the whole of the instruction that the voters received before the election.

# HOW COMMISSION GOVERNMENT WORKS IN BUFFALO

BY GEORGE S. BUCK

*Mayor of Buffalo*

*Buffalo is the largest city that has tried the commission plan and Mayor Buck's experiences, painstakingly detailed at our request, illustrate both the strength and the weakness of the charter. :: ::*

IN November, 1914, the people of Buffalo adopted the commission form of government by a very large majority. By the terms of our charter the mayor is made the commissioner of public safety and the departments of police, fire and health are given to him, while the remaining city departments are assigned to four other commissioners by vote of the city council. The nominations are made in a non-partisan primary three weeks before election. There may be any number of candidates in the primary, but after the primary there are only twice as many candidates as there are vacancies to be filled, and these candidates are chosen from those having the largest number of votes in the primary.

## RESPONSIBLE AND SENSITIVE

Under our charter there is no difficulty in placing praise or blame. Each commissioner is responsible for the work of his department. The council can act with great speed if necessary; at the same time there is no danger of anything undesirable going through without opportunity for public discussion. The charter will not permit any action affecting a material right of the public unless the resolution by which it is to be accomplished shall lie on the table for thirty days. During that period a petition may be filed

requiring the council to rescind its action or, if it does not do so, to submit the matter in question to a referendum. During the four years that our charter has been in operation the right to appeal to a referendum has been put into effect on one occasion only, when an appeal was taken to the people from the decision of the city council to give the street railway company a six-cent fare during the period of the war and six months thereafter. While this public veto over any proposed action of the council is no doubt both wise and necessary, the members of the council are very sensitive to public opinion and, whenever any proposition is brought forward to which opposition develops, the council has always shown a disposition to give ample opportunity for the opposition to be heard. There never has been the slightest disposition to try to jam any action through without deliberation and consideration of the contrary points of view. It is an easy matter for opposition to make itself heard, because the entire council attends every hearing. It sits as a legislative body every Wednesday afternoon and as a committee on every Friday afternoon. Public hearings are given at the committee meetings and only on exceptional occasions are any hearings given at the council meetings. A citizen need attend but one hearing in order to make his views known to the council.

## QUICK WORK

Let me give an example of what the council can do in an emergency. The health commissioner asked for a conference with its members at the time of the influenza epidemic. He met with the commissioners at ten o'clock on Friday morning, pointed out the seriousness of the situation and explained the need of an additional hospital. He asked for the use of an old high school to be converted into a temporary one. He was told to go ahead and that the commissioners would back him in every way, including the necessary appropriation. By eleven o'clock of that same morning employees from the department of public works and the department of parks and public buildings were at work converting the high school into a temporary hospital. At four o'clock on Saturday afternoon, or within thirty hours from the time that the head of the department of health went into conference with the council, the first influenza patient was taken into the temporary hospital.

A distinct advantage of the commission form of government is that it combines in the council both the legislative and executive powers. If any one of the commissioners requires an amendment to the ordinances—which is but the name for the municipal laws—for the proper conduct of his department, he submits the ordinance which he desires to the council. He explains the necessity for its enactment, defends it against criticism and votes in favor of its passage. If an appropriation is needed the same course is followed. The head of the department has the right to explain and defend before his fellow legislators the necessity of any legislative action affecting his department. This is an immense aid in the executive work of any department.

From my experience with our city government there is no doubt in my mind that for efficient, prompt, and responsible government there is nothing better than a combination of legislative and executive authority. All British democracies in their parliaments have this combination of legislative and executive authority vested in the same men, and the success of commission government will do much to demonstrate to the American public that there is no danger, and many advantages, in the union of executive and legislative power.

## NO RECALL

There is no provision for a recall in our charter and I am glad that there is not. It is impossible for an executive to do his duty, according to his best judgment, with courage and energy without offending many people, and in almost any crisis a large element will not agree with the course which he takes. The result is that the recall would simply tend to keep an executive in constant dread of a campaign. It paralyzes vigorous action and promotes continual political turmoil.

## DEVELOPING THE SOURCE OF REVENUE

Our commissioners are quite willing to spend money to bring about improvements in the conduct of any department. For example, soon after the new government took office it appropriated nearly \$60,000 to install a better and more scientific method of assessment. As a result of this work, in four years' time, \$177,000,000 has been added to the total assessed value of real estate. This has increased the borrowing capacity of the city. It has inflicted hardship on no one because the assessments are now based on actual and careful measurements and

surveys and thus are impartial. It has made it possible for the city to have the best of credit during the period of the war. This was a time when many cities suffered distinct financial distress, but Buffalo has been in an easy and comfortable position. It is safe to say that if the war had not upset economic conditions our city government would have been able to show a very remarkable reduction in the tax rate.

Buffalo's assessors are nominated by the mayor and confirmed by the council and serve during good behavior. It is a great improvement over the elective method. No taxpayer seeking concessions can threaten reprisal at the end of an assessor's term for failure to be a good fellow. The assessors know that as long as they do their duty they are safe, because no commissioner would dare move for the dismissal of any one of them without good cause.

#### THE PRESSURE ON THE MAYOR

The pressure of public business upon the mayor of a commission-governed city of 500,000 inhabitants is very heavy. The council must hold sessions which occupy at least two afternoons of every week. It also meets as a board of trustees for the school, police and fire department pension funds. These meetings often involve hearings. Then there are special hearings from time to time upon matters of importance. There are about 1,800 men in the police and fire departments and all trials for violations of the rules of these departments must be heard by the mayor or members of the council whom he may designate, but through a subdivision of the business of our council through its own members, as a matter of fact, the mayor sits in all of the trials and reports his finding to the other members of the council. There

are nearly 2,300 employees directly under the mayor and where there are so many there are constantly a number of new appointments to be made. There are changes from one position to another. There are many people who wish to see the mayor in behalf of friends who are affected by these changes. There are questions of city policy about which citizens wish to talk to the mayor. There are contracts to be looked into for the purchase of supplies. There are policies to be determined and settled in the police, health and fire departments, and also large questions affecting the city as a whole which require careful consideration. There are distinguished guests visiting the city who are to be received and there are many conventions to be welcomed to the city. There are banquets and social occasions of various kinds which the mayor is expected to attend. In addition to these matters there are a host of citizens who feel that the mayor is their last resource and that he should be accessible to them at all times. When in doubt what to do they wish to consult the mayor. It has been necessary for me to take the number of my residential telephone out of the book in order to have any peace and quiet at home.

Buffalo's old charter provided a federal form of government. The board of aldermen was composed of men elected from small wards. It happened from time to time that representatives were chosen to that board who had so strong a personal following in their districts that they were immune to the pressure of public opinion in the rest of the city. They were elected again and again and became very influential in the city government. They were men of a type who would have been rejected by the city at large if the opportunity

were offered. These men were a medium for the expression of certain malign forces in the life of every community which are bound to make themselves felt, whatever may be the form of local government. But these forces find it much more difficult to make themselves a factor under the commission charter, because the commissioners are men of a different type from the aldermen and are extremely sensitive to the public opinion of the city. They are loath to antagonize the press, so that under normal conditions the influence exercised by it is out of proportion to its stake in the community. It happens at times, however, that the press does not represent popular opinion and this is particularly true before an election when the candidates are able to go before the people who form their judgments independently of the press. A striking illustration of this was given this fall, when the candidate who was opposed by all the daily papers received the highest number of votes, and again when an increased rate of fare for the street-car company was supported by the press, but was defeated in the referendum by a five-to-one vote.

During the twenty-two months preceding the last election there were three members of the city council who generally stood in opposition to the mayor, and one other councilman, on important questions of city policy. These three men were responsible for the course which the city government took. Two of them were candidates for re-election. Only one of them was successful, and of the other candidates, the two who promised most explicitly to support the policies advocated by the mayor were elected. While there were other factors in the campaign this appears to me to be an endorsement of what the mayor, and the councilman who stood with him, tried to do.

#### A CONFUSION OF AUTHORITY

The fact that there were three councilmen generally opposed to the mayor had a far-reaching effect in the management of the police and fire departments, which are under the direction of the mayor. Under the old charter the discipline of these departments rested with the fire commissioners and the police commissioners, who were appointed by and responsible to the mayor. In an effort to reduce the number of boards and simplify the city government the present charter vests the duties of the former police and fire commissioners in the city council. The well-known fact that there were three commissioners hostile to the mayor created a feeling in the police and fire departments that the thing to do was to appeal to the council from the decisions of the mayor, and as the council overruled the decisions of the mayor in several important cases, the effect was bad upon the discipline of those departments. As the majority of the new council will now probably be friendly to the mayor in these matters, this situation will right itself. Nevertheless, the police and fire departments are semi-military organizations for which the mayor is responsible under the charter, so that it should give the mayor the right to discipline them, and the men should have the right of appeal to the courts from his decisions, to be protected from a mayor who might attempt to make political removals.

#### THE NET RESULT

I am convinced that the commission form of government is a very great step in advance in solving the problem of how to attain successful municipal government. The men elected from the city at large are more representa-

tive of the citizens and their ideals and aspirations than are a body of men chosen from small wards. Under our commission charter, unless a man is well known and a reputable citizen, he cannot possibly be chosen to have a part in the city government. Under the system of ward representation a man may become very influential and yet be of such a character that the city as a whole would reject him at once if the opportunity were presented. The small city council can act quickly; nevertheless, it is so sensitive to public opinion that it will not abuse its power to do so. The combination of legislative and executive authority makes for efficiency and ease in administration. The individual citizen can quickly and

at a single hearing bring his views before the council. Responsibility is clear and the citizen has no difficulty in deciding who is to blame for any feature of the administration of the city which does not meet with his approval. Taking all these considerations together there is no doubt, from Buffalo's experience, that commission government is a long step in advance in the solution of the difficult problem of successful administration of the affairs of American cities. Probably the details of the form in which it now exists will be improved upon as experience shows where changes can be made to advantage, but I believe the general principles involved have come to stay.

## BUSINESS SESSION OF THE NATIONAL MUNICIPAL LEAGUE

AT CLEVELAND, OHIO, DECEMBER 29, 1919

THE business session of the twenty-fifth annual meeting of the National Municipal League was held in connection with a dinner and smoker, at the Hotel Statler, Cleveland, Ohio, December 29, 1919, at 7 p.m.

Between the dinner and the convening of the business session, Mr. Lawson Purdy, president of the League, referred feelingly to the retirement of Mr. Clinton Rogers Woodruff after twenty-five years' service as secretary of the League. Mr. Purdy took this occasion to present to Mr. Woodruff, on behalf of members of the National Municipal League, a silver humidor bearing the following inscription:

As every institution is but the lengthened shadow of a man so the *National Municipal League* hereby gratefully acknowledges that it is but another name for

CLINTON ROGERS WOODRUFF

who has been for twenty-five years its devoted secretary, its organizing genius, its motive force, its guiding spirit.

He found the *National Municipal League* a mere project; he leaves it the central force of American civics. He found municipal reform a feeble aspiration; he leaves it the foremost achievement of modern democracy.

In grateful testimony whereof, this token is presented by the *National Municipal League* at its annual meeting in Cleveland, Ohio, December 29, 1919.

The business session of the League having been called to order by the president, the treasurer, Mr. Raymond V. Ingersoll, presented the treasurer's report, which was referred to the auditors for the usual action.

Mr. Ingersoll, presenting the report of the nominating committee, announced that the Hon. Charles E.

Hughes, formerly justice of the United States supreme court, had consented to have his name placed in nomination for the presidency of the League, and Mr. Frank A. Vanderlip, formerly assistant secretary of the treasury of the United States, for the treasurership of the League.

The committee recommended the election of Mr. Clinton Rogers Woodruff as honorary secretary. Nominations were also made for vice-presidents and members of the council.

In recommending Judge Hughes and Mr. Vanderlip for officers of the League, Mr. Ingersoll expressed the opinion that the securing of two men with such great ability and reputation ought greatly to increase the possibilities of the League for valuable work.

Judge Hughes, Mr. Ingersoll pointed out, has an unusual grasp of local, state and national public affairs. His familiarity with state government will be particularly valuable at a time when the League is properly turning its attention to that subject. He is devoting more and more of his time to public questions and will unquestionably take a very active interest in developing the League along sound and effective lines.

Mr. Vanderlip, Mr. Ingersoll stated, has not only had very broad experience as a banker, but has held public office in two national administrations and has always kept closely in touch with important public questions. In his recent book, "What Happened to Europe," Mr. Vanderlip expressed a profound sense of the necessity for securing better standards of government in this country.

In recommending that Mr. Woodruff be made honorary secretary, Mr. Ingersoll said the committee had in mind that this would be an appropriate way of showing appreciation for the exceptional work which he has done for the past twenty-five years in building up the League, and would also keep for the benefit of the organization the prestige in municipal matters which goes with Mr. Woodruff's name.

Upon motion, the secretary cast a ballot for the nominees for officers and members of the council as presented by the committee, and they were thereupon declared elected. (A list of the officers and members of the new council will be found on the fourth cover page of this issue of the NATIONAL MUNICIPAL REVIEW.)

The election of a secretary was referred to the council with power to act.

The amendments to the constitution of the League, reported by Mr. L. D. Upson, were considered seriatim. The constitution as amended and adopted will be published in the March issue of the NATIONAL MUNICIPAL REVIEW.

On motion of Mr. Mayo Fesler it was resolved "that the members here

present desire that the name of the League shall be changed to conform with the first object as set forth in the first paragraph of Article II, and that the matter be referred to the council, with the request that it report at the next meeting its recommendations, with the form to be adopted, as an amendment to the constitution."

Following discussion of a more suitable name for the NATIONAL MUNICIPAL REVIEW the council was authorized to make such change as it may see fit at any time previous to the next annual meeting of the League.

After being favored by Mr. Judson King and Prof. A. R. Hatton with a description of the operation of the non-partisan league of North Dakota, the meeting adjourned.

# DEPARTMENT OF PUBLICATIONS

## I. BOOK REVIEWS

**ORGANIZED EFFORTS FOR THE IMPROVEMENT OF METHODS OF ADMINISTRATION IN THE UNITED STATES.** By G. A. Weber. New York: D. Appleton and Company. For the Institute for Government Research. Pp. 391.

This book is a recognition of the increasing technical character of government, and is a description of the public and private efforts to make governmental processes effective. In particular the writer deals with governmental research and legislative reference which is concerned with the technique of administration rather than with the larger problems of politics.

For the national government, Mr. Weber traces the examination and improvement of administrative machinery from the earliest congressional inquiries through the current efforts of the United States bureau of efficiency (official) and the institute for government research (citizen).

In the field of state government there is a discussion of the several temporary state commissions on economy, efficiency, and reorganization, official boards of administrative control, and a few permanent citizen organizations working to the same end. Supplementing this is a description of the services rendered by official legislative reference and bill drafting agencies.

In the local field—municipal and county—the author enumerates the organizations and some of the results obtained by both official and privately supported bureaus of research.

The volume is intended as a reference book, and does not purpose a discussion of the theory of improving administrative methods, nor to any great extent the results accomplished. As a reference book the minor short-comings,—almost entirely in the field of local government—are relatively unimportant. Many reference books suffer from obsolescence as they come from the publisher, and undoubtedly the war and industrial disturbances delayed the presentation of this material. A number of recent county and city agencies are omitted, and data relating to certain agencies indicate the status of 1916. One agency in the national field, organized in 1915,—the Institute for Public Service—is omitted. On the whole, painstaking care has

been expended, and the book will be valuable to both the official and citizen concerned in getting more effective government.

In addition to its primary purpose of reference, the volume is also a measure of the distance that one important movement for better government has come. For this latter service it is unfortunate that the material could not have been revised in 1919 that it might have more truly reflected the importance of the efficiency movement, particularly in cities and counties where development has been rapid.

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**NEW TOWNS AFTER THE WAR.** An Argument for Garden Cities. London: J. M. Dent & Sons, Ltd. Pg. 84.

An attractive pamphlet summarizing the objections to haphazard city construction, indicating the advantage to be expected from intelligent town planning, and painting in glowing colors the splendid possibilities of after-war urban developments in Great Britain, has been published under the above title. It seems to take for granted what so many authorities on housing conditions in England now proclaim, that the state, working through local authorities, is to be the sole house-landlord of the future and that while present private owners of housing property in England will continue as landlords until their houses are worn out, their lot will be quite unenviable and that they will undertake no new construction. This would constitute a very long step in the direction of state Socialism. A large proportion of the buildings erected by the government will be rented at figures which mean a net loss to the state, and as the state is, after all, only the associated people, somebody must pay in increased taxes for uneconomic rents. New towns are to be created. The program starts out with the cry, "Build a hundred garden cities!" It even proposes that town authorities build model factories to be let on rental. The suggestion vaguely appears that the increased value of sites shall be utilized for the public good, but the question which has so far stared all such projects in the face, namely, where to put these model cities and how to find sites for them which

will not cost so much that the future of the new community is mortgaged indefinitely, is not even discussed. The price of land in England has advanced enormously since the war. The owners of available sites are aware that hundreds of public authorities are coming into the market bidding for their land. They are informed by pamphlets like this that a million houses must be built within the next five years. In estimating the price to be paid for land the present owner is permitted to demand a price based on its possible future use. It requires little imagination to anticipate what the effect on land prices will be. As there is no relation in England, such as exists, however imperfectly, in America, between assessment of land for purposes of taxation and the selling price of land, one may predict that the result of such a scheme as is here proposed, would be to greatly enhance the fortunes of present owners of the land. Up to the present, the failure of the project is indicated in the most authoritative Journals.

J. J. M.

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THE DECLINE OF ARISTOCRACY IN THE POLITICS OF NEW YORK. By Dixon Ryan Fox. New York: Columbia University; Longmans, Green and Company, agents. 1919. Pp. 460.

Dr. Fox has given us a detailed history of political parties from 1801 to 1840. It strikes one with surprise that he starts his study at so late a date. To the student he would have given the satisfaction of a perfect sequence if he had

begun where Dr. Becker left off in his history of the *Political Parties in the Province of New York, 1760-66*. It is true, of course, that the "revolution of 1801" overturned a government of "the rich, the well-born, and the able," and thus affords a starting point for the description of a waning aristocracy. This description is portrayed to us graphically and not without a touch of humor.

The student of municipal history will be interested particularly in a series of twelve diagrams on pp. 433-35. Under a caption "Who Were the Whigs," the author shows the results of elections by wards in the city of New York from 1810 to 1840 wherein we rediscover that the leopard does not readily change his spots.

Dr. Fox has a way of bringing us very near to the personality he is portraying, as when he writes of the delegates to the convention of 1821, and again of the "Albany Regency" of 1823. His footnotes everywhere give evidence of the extensive reading upon which conclusions have been based.

It is possible that the work could have been improved at many points by the use of shorter sentences. Such minor defects should not be overemphasized, however, in a treatise that is so thoroughly satisfying and interesting. The monograph is appropriately illustrated with portraits gathered from unusual as well as authentic engravings or paintings, and it has an admirable index.

A. EVERETT PETERSON.

## II. REVIEWS OF REPORTS

Thirty-Fourth Annual Report of the Board of Gas and Electric Light Commissioners of Massachusetts, for the Year 1918.—This report, for the calendar year 1918, covering statistics for the year ending June 30, 1918, is a fat volume of 800 pages, which well maintains the reputation of this, the oldest public utility commission in the United States, and, in fact, in the world. Its chief value consists not so much in the decisions, the year's legislation, and the few pages of general introduction, as in the extensive reports of the various gas and electric companies of the state. No other commission, with the exception of the New York commissions of the first and second districts, presents statistical and financial data in as clear and systematic a manner as does this Massachusetts commission.

There are also some valuable statistics of the four municipal gas plants and the thirty-nine municipal electric light and power plants in the state. But with the exception of the gas plants of Holyoke and Westfield and the electric light plants of Holyoke, Taunton and Chicopee, these plants are too small to be of general interest.

From the data given in this volume it can be computed that the fifty-nine private gas companies increased their sales to private consumers from 18,046,000,000 feet in the year ending June 30, 1917, to 19,530,000,000 during the following year, or over 8 per cent. The revenue from private consumers, and from cities for street lamps and public buildings, increased from 86 cents to 92.4 cents while the profits available for interest, dividends and surplus de-

clined from 26.4 cents to 23.1 cents per thousand feet of sales; but this slight decline still apparently left the companies a profit of 6 per cent or about \$4 per thousand feet of annual sales,—a sufficient margin.

The commission wisely urges legislation permitting it to check the companies from impairing their resources by declaring excessive dividends. It does well, also, to recommend that its approval shall be required before contracts are entered into for the purchase or sale of gas and electric light between companies having a common ownership, such as prevails not only in Massachusetts but in New York city and many other places. The commission also recommends that the bonds of the gas, electric and water companies under its charge be disposed of only by tender to the highest bidder.

It is unfortunate that the Pennsylvania public utilities commission has been in existence several years before beginning, as it has just done, to require statistics from its public utilities along the lines of a uniform classification of accounts, and it also is greatly to be regretted that many other state commissions that have been collecting such statistics for a few years do not more closely copy the Massachusetts and New York methods of tabulation. Most commissions are so busy with the immediate adjudication of rate and capitalization cases, or questions of service, and are so poorly sustained financially, that they do not present well-ordered summaries and analyses of the rich data at their command. In many cases they are unaware of the importance of comparative statistics.

Few commissions, also, can boast of such a record as Massachusetts, whose chairman, Mr. Barker, was in continuous service with the board for over thirty years before he passed away two or three years ago, and whose oldest member, General Schaff, has completed over twenty years of valuable service on the board. Among our regulating bodies only the interstate commerce commission can approach such a record.

Since the above review was written, the Massachusetts gas commission has been consolidated with the Massachusetts public service commission, and General Morris Schaff is no longer able to give of his wisdom and long experience to gas affairs in Massachusetts. To those who have admired for many years the work of the Massachusetts gas and electric light commission, the move of Governor Coolidge

seems a great mistake for that commission has done a pioneer and wonderful work and has been more consistently and intelligently devoted to the public interest, especially in matters of gas, than most commissions having to do with public utility lighting in other states.

E. W. BEMIS.



**Report of the United Railways Committee on Capitalization and Valuation.**—The Civic League of St. Louis, December, 1918. There have been five different valuations made of the St. Louis United Railway properties, two in 1911, one in 1916, and two in 1918. The low estimate of 1911, corrected to 1918, is about \$40,000,000; the high estimate, 1918, is over \$72,500,000. The Civic League committee in discussing different methods and elements of valuation, confines nearly all of its attention to overhead allowances. This is easily understood from the fact that the lowest *base cost*, the "public service commissions' 1911 estimate," with additions to 1918, amounts to about \$34,046,242, while the highest estimate amounts to \$41,757,292, a difference of \$7,771,050. Over \$6,500,000 of this difference is "estimated increase in cost of construction since 1911."

In contrast to the difference in base cost between high and low, the overhead allowances for the same corresponding valuations are: for low valuation, 16.4 per cent of *base cost*, or \$5,583,583; and for high valuation, 73.8 per cent of *base cost*, or \$30,831,849. The difference between high and low "overheads" thus amounts to over \$25,000,000. The overhead per cents in the three intermediate valuations are 38.4, 39.6 and 48.6 per cent. The committee recommends 17 per cent as a reasonable allowance for overheads. Honest citizens may well question claims made by the utility interests, their valuation experts and sympathizers, for "overhead" allowances, as well as for some other "values," that are not quite so elastic in their conception or application.

The committee, on the whole, is very liberal in its minimum and maximum values. "The fair value," it holds, "should be limited to a sum not less than \$40,950,000, nor greater than \$48,850,000."

If the valuation figures are to be used as a basis for purchase by the city, the committee might very well have gone further into the matter of depreciation. Whether for rate making or purchase, valuations have generally not received

as heavy depreciation as the circumstances would seem to justify. From 35 to 45 per cent depreciation may be more nearly correct than 15 to 25 per cent for old second-hand utility property.

It may not be amiss to suggest that the most convenient unit for comparison of traction valuations is the aggregate average cost for the entire system, including equipment, reduced to the cost per mile of single track. The fair honest cost for city systems should rarely, if ever, exceed \$100,000 per mile of single track. If for a city street railway system, an undepreciated valuation of \$70,000 to \$80,000 per single track mile is shown, it may well invite close inquiry.

In view of the concerted drive all over the country by the utility interests to establish and legalize inflated valuations, and the fact that public officials are often ignorant of, or indifferent to, the injury which may thus be inflicted on the municipalities, it may of necessity devolve upon the disinterested, selfsacrificing citizens to make the fight for protecting the public interest.

The study shows a laudable spirit on the part of the Civic League and its committee and may well serve as a stimulus in other cities to combat efforts at exploitation.

CHARLES K. MOHLER.



**Community Welfare Law of Indiana.**—The community welfare law, recently enacted by the Indiana legislature, creates a "department of public welfare in cities of the first class," giving them "power to receive and manage and control all gifts and bequests not made for any specific purpose and any gifts made for community welfare purposes." This is excellent, in that it creates a responsible board to administer such gifts and bequests as public-spirited citizens wish to make for welfare purposes, and centralizes the control of all such funds.

The mere fact that a city has such a welfare board will invite gifts, as has been proved by the Cleveland foundation, and will probably divert to public funds gifts that might otherwise go to private philanthropic institutions. The length of time of service—four years—will enable the men who serve on the board to "learn their job" and to administer the funds wisely.

The provision that the first members shall be appointed by the mayor will work well or ill, as the mayor does not or does use this office as one of his political "plums." If the first men

appointed be of high caliber it is to be expected that the incumbents elected by them will be of the same intelligence and ability, and prestige will be established for the board. However, if a city is politics-ridden, and the mayor appoints his own henchmen, the whole scheme will be of negative value.

The terms of power for the board are broad enough to enable them to go into many varied enterprises for city welfare—the conducting of surveys in fields of health, recreation, housing, etc.; the demonstration of model playgrounds, model dance halls, community centers, and community theaters; the employment of field workers to organize local community councils for discussion and action on community welfare problems; and the assembling of the experience of other cities in all these fields. In fact, with such broad powers, and a membership free from political influence or domination, such a board would become the dominant factor in movements for community welfare.

It is suggested that the board choose its secretary by examination—not necessarily civil service or written examination; that they choose a young man who has made a study of the community movement, that they use him not only as an executive, but leave much to his initiative, and that the board act in an advisory capacity only. Such a method will result not only in immediate benefit to the population of the city, but also in creating new methods, procedure, and technique in community work. This method of administration has been admirably developed in the work of the board of park commissioners of the South Park system in Chicago. This board consists of seven men, appointed by the county judge for a period of six years. It elects its executive officer for an indefinite period, using the advice of the city's experienced social workers in the selection, and gives him a rather free hand in the development of the work of the department. The board has been free from political domination since its inception, and, in contrast to the other park boards of the city, where appointments have been a matter of political preferment, it has accomplished one of the most outstanding pieces of recreation work in the country in the invention and maintenance of magnificent community centers in the small parks. The other park boards of the city have all too tardily imitated their work. The work of the latter boards has been important when the appointees were men of

vision and ability even though they were of necessity part of the political machine. It has fallen below the best standards when the appointees have been politicians with no understanding of community problems. The work of the South Park commission, on the contrary, has been one of steady growth from the beginning, of even development, constant innovation and experimentation.

The community welfare law should be amended to include cities of the second class. Too much of the legislation of the Indiana legislature is directed to Indianapolis and the very few other large cities. Few of the most progressive laws are made to apply to cities of the second class so that the state has within its confines such a festering sore, from the standpoint of social conditions, as East Chicago, where every condition of community life is indescribably bad—infected water, no provision for play and no direction or control of community welfare whatsoever. The housing laws, for instance, passed with so much effort and publicity in Indiana several years ago do not apply at all to East Chicago, with the result that housing conditions exist there to-day, and existed during the war, which are not tolerated in the worst slums in our big cities.

The Indiana community welfare law is a step forward in making public policy and in centering control and responsibility for the administration of public funds for community betterment in one group of citizens; but its value will depend entirely on the personnel selected for membership on the Board and on the type of executive officer selected, and the amount of power and responsibility which is delegated to him.

Not only should the provisions of the Indiana law be extended to include the smaller cities, but a clause should be framed to eliminate political control. This could be accomplished by placing appointments in the hands of some other official than the mayor, and by giving the board taxing power, if possible, as has been done for the many park commissions that are doing excellent work throughout the country.

MARIA WARD LAMBIN.<sup>1</sup>



**Financial Statistics of States.**—In this report of the federal bureau of statistics there is shown

<sup>1</sup> Acting Director of Recreation, Community Councils of New York.

in detail the financial transactions of the 48 states for the year 1918, the assessed valuation of taxable property, and the taxes levied thereon, and their indebtedness and assets at the close of the year. The financial transactions of the states are so analyzed as to show the revenues of the states, and of the more important departments, and the cost of and indebtedness incurred in conducting state business.

Such figures from the report as there might be room to quote here would be so fragmentary as to have only superficial value. A more serious treatment of the report is, perhaps, to emphasize the attention called in the introduction to the antiquated and diverse accounting methods with which the census bureau had to contend in some of the states in the effort to obtain comparative data. There still exist, as the report explains, some states where no modern system of accounting has been installed, where the accounts kept are what are commonly known as cash accounts, or accounts merely of cash receipts and payments. No attempt is made in such states to classify receipts with reference to revenue, nor payments with reference to governmental costs. Furthermore, in most states which have introduced modern accounting systems, no common method of classification has been adopted. In some instances it was necessary for the bureau's agents to classify or reclassify, from original vouchers, the revenues and governmental costs, or receipts and payments, in order to arrive at even approximately comparable results.

Obviously state financing can never be intelligently undertaken on so loose a basis, and a remedy of this fault must precede or go hand in hand with other fiscal reforms. What is greatly needed is a common and scientific classification of revenues and government costs, or of receipts and expenditures, available for adoption in states where improved accounting methods are desired.



**Building East St. Louis for To-morrow** is the title of the first annual report of the war civics committee of that city, covering the year ending September 30, 1919. This committee of fifty was organized at the instance of the War Department for the purpose of eliminating adverse living conditions in East St. Louis and creating an environment more favorable to the successful production of war materials. The report details the committee's accomplishments in matters

of housing, health, municipal survey, community welfare organizations, cost of living, recreation, racial problems, charities, safety, etc., and also lists in a "debit column" that part of the committee's work which is as yet uncompleted. This work has not ceased with the signing of the armistice as the committee is pledged to three years' work, and will continue its efforts for the improvement of the city.



**New York State Probation Commission.**—The twelfth annual report of this commission,

a volume of 576 pages, is a valuable contribution to the subject of penology, and especially to that branch dealing with the probationary system. The report contains much data of use to those concerned in the subject, including not only a record of the commission's work for the year, but also a number of valuable tables, the proceedings of the state conference of probation officers and that of magistrates, and synopses of all statutes relating to probation, juvenile courts, and allied subjects, enacted in the United States during 1918.

# NOTES AND EVENTS

## I. GOVERNMENT AND ADMINISTRATION

**Saving a War-Industry City.**—Hopewell, the Wonder City of Virginia, developed in the spring of 1915, from a cornfield to a community of some 35,000 people and thousands of shacks and wooden buildings of various kinds, only to be destroyed by a big fire in December of that year. But as is usually the case the fire proved to be a blessing in disguise, for in place of the destroyed shacks appeared modern brick buildings, and the city entered upon a period of wonderful prosperity that was to last for nearly three years.

During this time the great plant of the du Pont Company adjacent to the city was furnishing employment for about 16,000 men at high wages. The city was on a boom; miles of paved streets and sidewalks, hundreds of modern brick buildings and comfortable wooden dwellings, water works, an electric company, four banks, additional wharves and docking facilities, street car service, an interurban electric car line connecting the city with Petersburg, good train service over the Norfolk and Western Railway, and a regular freight and passenger service by the Old Dominion Line and other smaller lines on the James River and the Appomattox River, were among Hopewell's advantages.

All went well until the signing of the Armistice on November 11, 1918, when the coming of peace started the closing down of the local du Pont plant that had for three and a half years made this a prosperous community. Many of the plant's employes moved away, and with the coming of spring the city found itself going through a period of depression, until by the middle of June it seemed to some that the city that had grown up with the large du Pont plant was to die with the death of the big war industry.

But the business men of Hopewell and of Petersburg, closely linked with Hopewell in business relations, were not ready to admit that Hopewell had lived its day. Realizing all the natural advantages and the additional inducements that could be offered by the community, these business men of Hopewell and Petersburg conceived the plan of combining their energies in advertising and developing the two cities and

adjacent territory under the name of the Petersburg-Hopewell District, with the idea of making it into a great industrial center. The du Pont Company, with several thousand acres of land adjoining Hopewell, and tremendous power plants and miles of railroad, found that it had more land, power, and railroad facilities than it could use, and became interested in the development of the community in order to gain some return from the large investment.

Carrying out this plan the business men and the du Pont Company raised \$100,000 for the purpose of advertising the advantages of this district and of beginning the development, with an additional sum of \$15,000 to be used in an agricultural development of the neighboring farming community in order that the cities might be supplied with fresh vegetables and truck and foods of all kinds. The city has reduced its tax rate to \$1 on the hundred and is conducting the city affairs on a most economical basis. It is making every inducement possible to new enterprises and prepared to make attractive propositions to any one desiring a location.

Hopewell became a city of the first class on July 1, 1916, by virtue of a charter granted by the general assembly of Virginia. This charter is unique among the cities of Virginia in its simplicity. It provides for a mayor, and a bicameral council composed of a board of aldermen of only three members and a council of only five members, all of whom were elected at large from the city.

The commissioner of revenue and the treasurer perform the duties usually incumbent upon such officers. Other affairs of the city are run by four departments: The engineering department (in charge of the streets and water works), the health and sanitary department, the police department, and the fire department. All department heads are named by the council, and are subject to the council and mayor, to whom they make their reports.



**University of Cincinnati Gives Course on Housing.**—With the great increase in interest in housing, not only in the United States, but

all over the world, the University of Cincinnati is one of the first to meet the need of a comprehensive course of study on the many phases of this important subject. To meet the demand for information and instruction on housing the new department of industrial medicine and public hygiene at the medical college, in charge of Major Carey McCord, has worked out in co-operation with the Cincinnati better housing league a university course of twenty lectures covering every important phase of the subject from the growth and history of the housing problem to the Garden City Movement, the construction of low-cost houses for wage-earners and housing from the real estate man's point of view.

The course includes lectures by experts from various parts of the country to lecture on the phases of the subject in which they are pre-eminent. Among the subjects are housing legislation, housing of factories, co-operative housing, etc. Advantage is taken of the fact that Cincinnati has a number of business and professional men and city officials particularly qualified by experience and training to lecture on various topics included in the course.



#### Progress under the British Housing Act.—

In spite of the Housing Act, progress with the actual building of new houses is reported as being very slow. The ministry of health reports that over 4,000 schemes for about 420,000 houses have been submitted, but for various reasons only a small fraction of these are actually in hand. Complaints have been made of delay and undue interference in details by the ministry, but these are repudiated. Looking at the large financial interest the ministry must safeguard, it is perhaps not remarkable that difficulties and differences should arise.



**Municipal Loans for Home Building.**—An ordinance of the province of the Cape of Good Hope, South Africa, empowers the council of the city of Good Hope to make advances to persons of limited means to provide homes for themselves. This advantage is offered only to those whose incomes do not exceed £360, at least four fifths of which must be derived from actual personal exertion. Such loans must not exceed four fifths of the value of the house and land, nor shall the total loans to any one person be greater than £600. Loans are to be secured by first mortgages bearing 5 per cent

interest. A corporation building loan fund may be established for the purpose, subject to the provisions embodied in the ordinance.



**Cheap Rents in Lausanne.**—The municipal council of Lausanne has received a proposition from the municipality as to a subsidy of 200,000 francs (\$38,610), including 85,000 francs (\$16,409) already given, to the association "La Maison Ouvriere" ("The Workman House"), which shall construct houses for cheap rent, on the ground which the commune ceded gratuitously to it at Pre d'Ouchy. There will be three houses containing altogether thirty apartments of two and three rooms each and, as a rule, having a garden.



**Third-Class Cities in Pennsylvania.**—A constitutional amendment proposed by the last legislature of Pennsylvania would, if adopted, empower the legislature to reclassify the cities of the state, the number of classes not to exceed seven. Two attempts of the legislature to change the present number of classes, first from three to five, and later from three to seven, having been held unconstitutional, the proposed amendment is deemed necessary in order to deal more effectually with the problem of legislating for cities of homogeneous classes. Before becoming effective, the amendment must pass another legislature and be approved by the voters of the state.

Other important legislation of the last Pennsylvania legislature, affecting cities of the third class, included several amendments to the Clark act, namely, one providing for a uniform tax levy in newly incorporated cities to pay the outstanding indebtedness of the various municipal divisions comprehended in the consolidation; another making conclusive the action of the council in annexing a borough, township, or part thereof, to a third-class city, notwithstanding the initiative and referendum provisions of the Clark act; another limiting to expenditures of more than \$250 the provision that all purchases of materials and performance of work must be by contract; another, of questionable value, designating license taxes as being for purposes of revenue.

Municipal powers of third-class cities were extended to include the establishment of milk depots; enforcement of market regulations; provision for garbage collection and disposal; regulation of the keeping and slaughtering of

animals and fowls when deemed objectionable by the board of health; smoke regulation; municipal boat and bath houses; provision for musical entertainment; regulation of public dance halls; and provision for municipal pensions.

The duties of the city comptroller—a regretably impotent official in third-class cities under the Clark act—were materially enhanced by new legislation, while, on the other hand, a questionable step was taken in placing rather obscure limitations on the exercise of the initiative and referendum powers granted under the Clark act.



**Eldora (Iowa) Plans Community Improvement.**—A committee on public improvement appointed by the community club of Eldora, Iowa, has drafted a report containing features of value to other cities and towns striving for civic advancement. Prominent among these is the suggestion for industrial development in keeping with the natural advantages claimed for Eldora. The report calls attention to the substantial sums of money invested by Eldora citizens in outside industrial enterprises, many of them worthless, and recommends that systematic effort be made to direct Eldora investments to home enterprises. To this end it is proposed that local industries needing development be examined by the community club to ascertain their requirements and advantages for the purpose of encouraging home investors in seeking home investments. Similarly it is recommended that efforts be made to organize industrial enterprises which the city's environment indicates as highly desirable and which are now lacking.

Other topics on which the committee reports detailed suggestions include a system of paved highways for the county; parks and public grounds; transportation facilities; public buildings; adjustment of difficulties with the public utility company; better housing; a comprehensive city survey; actual federation of the churches, with a community house as an alternative; a central trustee's fund for public bequests; and a community council for coordinating the work of all existing welfare organizations.



**Philadelphia's New Department of Welfare.**—Under its recently amended charter<sup>1</sup> Philadel-

phia has just put into operation the clause creating a new department of welfare. Its chief functions are (1) to administer and supervise all charitable, correctional, and reformatory institutions and agencies (except hospitals) whose control is entrusted to the city; (2) to organize, manage, and supervise playgrounds, recreation centers, floating-baths, bathing grounds, and recreation piers; and (3) to have jurisdiction over such other matters affecting the public welfare as may be provided for by ordinance. While these functions give the welfare department an important rôle in promoting the well-being of the city, yet it lacks many powers common to welfare departments in other cities, particularly in the middle west, such as supervision of public amusements, enforcement of health ordinances, suppression of nuisances, maintenance of free employment and legal aid bureaus, or research, lectures, and publicity along welfare lines.



**Municipal Bank Proposed for Bradford, England.**—A proposal that the Bradford city corporation apply for a government banking charter is being considered by a committee of the city council. Labor members of the council, from whom the plan (still in its formative stages) emanated, advance the following statement by the chairman of the finance committee in support of the entrance of the city into the banking field:

Banking is the simplest, safest, and most profitable industry in the Kingdom at the present time. The possibilities of saving money to the ratepayers of Bradford by conducting the finances of the corporation through a corporation bank are very great. Some of our difficulties in obtaining capital and loans for public purposes would tend to disappear. I imagine, also, that if a government charter of banking were granted to us ordinary enterprise from outside would be attracted and would come and bank with us. We should become in time a recognized commercial bank. In round figures the Bradford corporation owes £8,000,000 of borrowed money. On this interest is paid up to the rate of 5 per cent. Some of the older loans are at a lower rate. The relationship between banking and borrowing is very close. We should have the best credit of any individual bank you could think of. Banking requires no capital.

The proper course is in my opinion for the government to be the national banker, with the municipalities conducting branches. At the present moment 80 per cent of the banking of this country is conducted by six banks. The banks which conduct the other 20 per cent of

<sup>1</sup> NATIONAL MUNICIPAL REVIEW, vol. viii, pp. 417 and 454.

business are not numerous, and amalgamations are constantly going on. The number of banks existing to-day is startlingly small, when compared with the number that existed, say, twenty-five years ago. Banking is quickly becoming a great monopoly, and the power of the banks to keep up rates of interest and to hold national credit in pawn is a serious menace.

**A Municipal Foundry.**—A new phase of municipal ownership, apparently, is the decision of the city council of Johannesburg, South Africa, to establish a municipal foundry. The plant, to cost £1,000, with an allowance of £100 for contingencies, is expected to deal with all the castings for all the departments of the council, which represent approximately 168 tons of cast-iron per year and 8 tons of brass and phosphor bronze per year. The gas, electricity, and tramways departments have an appreciable amount of scrap iron, as well as scrap copper, brass, phosphor bronze, etc., which has had to be disposed of by the controller of stores and buyer

at the best prices offered. With the introduction of a departmental foundry the council expects to be able to use up its own scrap metal.

**State Art Commission Appointed for Pennsylvania.**—Under authority of an act of the last legislature Governor Sproul of Pennsylvania has appointed a state art commission of five members whose approval is required for the design and location of all public monuments, memorials, buildings, etc., proposed to be erected anywhere in the state, except in cities of the first and second class.

**Proportional Representation in Canada.**—The new premier of Ontario, the Hon. E. C. Drury, has forecast the introduction of proportional representation in the next parliamentary elections of the province. The premier is committed to electoral reform, which is expected to be taken up when the parliament convenes this month.

## II. CITY MANAGER NOTES

**City Managers' Association Growing.**—The city managers' association, founded in December, 1914, at Springfield, Ohio, with but eight city managers in attendance, has now grown to be an organization of some 200 members. This rapid growth is explained in part by the creation of an associate membership a year ago, at the fifth annual meeting, to which anyone sufficiently interested in municipal progress to pay the annual dues of five dollars, is eligible. Entirely aside from this feature, however, is the very marked increase of the interest of the city managers themselves, in the work of the association. Quite logically, perhaps, the society has become a sort of clearing house for city managers, and through its monthly bulletin announces openings in the field. During the past year nearly a score of city-manager positions have been filled through information furnished by the association.

In other ways the society has endeavored to render definite service to its members by furnishing them with the best available literature on the manager plan, including subscriptions to the *City Manager Bulletin*, the *Short Ballot Bulletin* and the association year books. This year, through co-operation with the National

Municipal League, arrangements have been made whereby each member of the city managers' association has become a subscriber to the *NATIONAL MUNICIPAL REVIEW*.

**City Manager Promotions and Appointments.**—Five more transfers of city managers from one city to another have just been announced. In each case the transfer has constituted a real promotion. The total number of such promotions now stands at thirty, and as the city manager movement gains headway, bringing an increased demand for experienced men, these inevitable promotions will still further upset the theory once advanced that the tenure of the city manager would be for life, or good behavior.

Of the five cases in hand one man advanced to his second city, three to their third and one has received his fourth appointment. J. W. Greer jumps from Byran, Texas, to Tallahassee, Florida, after establishing a notable record.

The three men to tackle their third manager positions are C. A. Bingham, I. R. Ellison and W. M. Cotton. Mr. Bingham served three years at Norwood, Massachusetts, and two years at Waltham, Massachusetts. He has

just been appointed at Watertown, New York. During the five years his salary has increased from \$3,000 to \$7,500. Mr. Ellison goes to Muskegon, Michigan, after seven years service at Eaton Rapids, and Grand Haven, Michigan. Mr. Cotton is a graduate of the city-manager course at the University of Michigan and served as borough manager at Edgeworth and Sewickley, Pennsylvania, before his recent appointment at Ambridge, Pennsylvania.

G. A. Abbott holds the record for transfers. He is now manager at Sanford, Florida, and during the past four years has served as manager of three Michigan towns, Grosse Pointe Shores, Birmingham, and Otsego.

An increase of salary is often quite equivalent to a promotion and certainly constitutes a worthwhile endorsement. A large number of increases were announced for January 1. Perhaps the most conspicuous case is that of Charles E. Ashburner, manager at Norfolk, Virginia, who is now receiving \$12,000 per year. Mr. Ashburner was the first city manager in the country and has served three cities, starting at a salary of \$2,400.

Harry H. Freeman of Kalamazoo, Michigan, and C. M. Osborn of East Cleveland, Ohio, have both been advanced to the \$6,000 class.

Another interesting feature of recent appointments is the tendency of cities to choose a local man trained within the organization, to succeed a resigning city manager. Henry F. Beal follows Mr. Bingham at Waltham. Mr. Beal was previously Waltham's director of public works and city engineer.

The case at Wichita, Kansas, differs somewhat in that the new manager, L. W. Clapp, served as mayor for over two years during the managership of L. R. Ash. A second case in which a former mayor has been selected manager is that of W. B. Anthony, recently appointed manager at Walters, Oklahoma, after serving several years as mayor of a neighboring city.

Other city manager appointments announced since the issue of the City Manager Bulletin for December, 1919, are as follows:

Anaheim, California, O. E. Steward; Pittsburg, California, Randall M. Dorton; Petoskey, Michigan, J. F. Quinn; Ypsilanti, Michigan, T. Fred Older; Sherrill, New York, Lewis W. Morrison; Painesville, Ohio, T. B. Wyman; Sallisaw, Oklahoma, Fred E. Johnston; Rock Hill, South

Carolina, E. R. Treverton; Kingsport, Tennessee, F. L. Cloud; Yoakum, Texas, J. E. Lucas; Newburgh, New York, Capt. McKay; Scobey, Montana, Roy N. Stewart; Norman, Oklahoma, W. R. Gates; Santa Barbara, California, Robert R. McGregor.

H. G. Otis.<sup>1</sup>



William J. Lamb has been appointed city manager at Akron, Ohio. Last November Mr. Lamb was elected mayor of the city, an office he has held before. The city commissioners, however, selected him as the city's chief administrator and transferred him to the city manager's office.



West Palm Beach, Florida.—Joseph Firth has assumed office as city manager of West Palm Beach, Florida, having resigned as commissioner of public works of Winston-Salem, North Carolina, to accept this position. Mr. Firth will be succeeded in Winston-Salem by Captain Harry L. Shaner, former city manager at Lynchburg, Virginia, but who has been engaged in government work since he entered the services of the War Department at the beginning of the war. Captain Shaner will be assisted by W. F. B. Halensworth, of Greenville, South Carolina.



City-Manager Plan Suggested for Cleveland.—Our attention having been called to an error in the November issue of the NATIONAL MUNICIPAL REVIEW, whereby the minority report of the committee recommending the city-manager plan for Cleveland, Ohio, was confused with the majority report,<sup>2</sup> we have obtained from Mr. Leyton E. Carter, assistant secretary of the civic league of Cleveland, the subjoined explanation of the two reports:

Followers of the city-manager idea will take keen interest in the recommendations of the committee of fifteen appointed in 1916 to investigate and report on the city-manager plan of government for Cleveland. The committee in its recent report has agreed that the city-manager idea should be applied to Cleveland; but its members have split into two groups over the question of precisely what plan embodying the

<sup>1</sup> Secretary, City Managers' Association.

<sup>2</sup> NATIONAL MUNICIPAL REVIEW, vol. viii, p. 780.

city-manager idea should be recommended to the voters.

The majority report or "plan no. 1," signed by ten members of the committee, eliminates the popularly elected chief executive and provides for the appointment of a city manager by the council, which is to be chosen by proportional representation and number from fifteen to twenty-five members, such manager to hold office during the pleasure of the council.

The majority committee "believes that the most fruitful cause of the prevailing distrust in government is the lack of effective administration even more than the unrepresentative character of our legislative bodies." It sees in the majority plan a means for "excluding partizanship from the administrative service of the city." It further believes that the adoption of its plan will result in securing better executives and make for continuity of executive policy. Proportional representation is strongly advocated as a means of making the council "truly representative" and drawing into it "the real leaders of the various important groups and interests of the city."

The minority plan, "plan no. 2," seeks to combine the "advantages of the city-manager plan and the satisfactory features of the present plan." The minority committee of five is not

convinced that the straight-out manager plan has been tested by experience in great cosmopolitan cities or that it is wise to apply too closely this "industrial form of government" to city government, which is "an agency of the state to promote opportunity for better life, liberty and happiness of the people, as distinguished from a private industrial corporation existing to extract from its operation large financial returns for its stock-holders." The minority feels that the rôle which the popularly elected mayor plays "as a leader in evolving those major policies which give character to a community" is among the institutions of democratic government which must not be sacrificed. It further feels that the choice of a city manager can more safely be left to the popularly elected mayor than to the council where, it believes, responsibility can easily be shifted about. It therefore recommends as its main "plank" the choice of a city manager by the mayor to serve during his pleasure, or that of each incoming mayor, and to be charged with the administrative work of the city, with control of the several administrative departments centralized in his office.

Only the majority plan has met with any considerable favor to date. A campaign committee has been appointed to take steps to bring this plan to popular vote in the near future.

### III POLITICS

**Philadelphia's Political Clean-Up.**—Monday, January 5, 1920, marking the inauguration of the mayor-elect of Philadelphia, J. Hampton Moore,<sup>1</sup> ushered in what many citizens hope and believe to be a new era in the government of that city.

It is safe to say that none of Mr. Moore's predecessors came into office with quite his opportunity for effective service in the administration of the city's business. For one thing, he has behind him the indorsement and dictum of an overwhelming vote, composed of the independents and the best Republican elements, won in primary and general elections on the clear-cut issue of efficiency versus machine rule, which few former Philadelphia mayors have had; and, for another, Mr. Moore is gifted with a genius for politics and for understanding and dealing with men which no previous "reform" mayor in Philadelphia possessed in the same degree. A further advantage is the greater opportunity offered by the city's amended charter.<sup>2</sup> These exceptional factors, combined with Mr. Moore's public experience and personal

qualifications, give confidence to many shrewd observers that while Mr. Moore cannot make a Utopia of Philadelphia in four years, he will be able, with hard work and a little luck, to accomplish much that in the past has seemed hopeless.

The circumstances attending Mayor Moore's induction into office support these hopes. His appointment of heads of departments has been particularly strong. James T. Cortelyou, director of public safety, was formerly chief of postal inspectors and later at the head of the detective force of the county of Philadelphia. John C. Winston, director of public works, is at the head of a large publishing house and accustomed to handling large affairs; as chairman of the committee of seventy since 1903, and of the charter revision committee, he has been a forceful public figure and familiar with the work of his new office. Dr. C. Lincoln Furbush, director of public health, has had a wide and varied experience under Surgeon-General Gorgas in Panama and also during the war; Dr. Furbush has a high reputation as a sanitarian and a disciplinarian. George F. Sproule, director of wharves, docks, and ferries, is known as the best informed man concerning the port of Phil-

<sup>1</sup> NATIONAL MUNICIPAL REVIEW, vol. viii, p. 731.

<sup>2</sup> NATIONAL MUNICIPAL REVIEW, vol. viii, pp. 417 and 464.

adelphia; he has been closely identified with shipping interests for many years. Ernest L. Tustin, director of the new department of public welfare, was formerly head of the recreation board, where he made a good record; he has been a successful lawyer and business man. A. Lincoln Acker, city purchasing agent, has recently retired as the head of one of the largest grocery concerns in Philadelphia; he has had wide experience in large purchasing, and possesses splendid qualifications for his new office. Such of these appointments as have political significance are political only in the best sense, and indicate the high plane of thinking and action of the new administration at its inception.

Mr. Moore has also been particularly fortunate in his relations with the new single-chamber council of twenty-one. Not only has he shown a high quality of leadership in dealing with the organization of the new council, but he has been successful in obtaining the council's election of a civic service commission admirably equipped for the exacting task of bringing to a higher standard the personnel of the various city departments. Of this commission Clinton Rogers Woodruff, now honorary secretary of the National Municipal League after twenty-five years' service as secretary, is well qualified for his position of chairman by his judicial temperament and an intimate knowledge of the civil service gained through his long activity in municipal affairs. Lewis H. Van Dusen, another member of the commission, served with distinction in the same position during the administration of Mayor Blankenberg and was in charge as lieutenant-colonel of the personnel bureau in the War Department. Charles W. Neeld, the third member of the commission, is a business man selected for his business experience and his civic interest. Such a commission, both in weeding out the misfits in the service at present, and in conducting fair and effective examinations in filling vacancies, will prove a vital asset to the new mayor.

RUSSELL RAMSEY.

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**Mayor Hoan's Administration in Milwaukee.**—Commenting on the administration of Mayor Hoan of Milwaukee, Charles F. Carson, of the *Living Church*, writes:

The real social value of the public marketing plans, for instance, of the socialistic adminis-

tration was shown by the fact that in providing fish food for the poorer classes the city government was able to undersell the regular markets to the extent of from 50 to 75 per cent in retail price. When the masses of the people were securing food only with the greatest difficulty, this item urged by the mayor in his address was a very strong argument for socialistic methods.

The mayor's suggestion that labor be hired directly, without the intervention of a middle man, seems to me to meet the requirements of common sense, if once we recognize the right of a man to labor without being exploited.

The mayor's plans outlined for making a better Milwaukee included those for improved housing conditions, doing away with the congestion of population, and securing public ownership of the local street railways. The need for each of these three is apparent to a resident. In Milwaukee there are large slum districts, comparing favorably in size with those of the older eastern cities, while on the outskirts within the easy reach of future railway extensions are large expanses of territory which would lend themselves easily to the housing of workmen, when once economical transportation facilities are afforded through public ownership. That public ownership is necessary was proven by last year's campaign of the local company for increased fares. They asserted that it would be necessary to raise the local fare from a four-cent ticket to a straight five-cent fare, if they were to pay the interest charges which the courts had declared legitimate. The Railroad Commission granted the increase, and afterwards it developed that for two years the company had been paying on the old fare system an interest of 12 per cent to a large class of its investors, but still had demanded more.

The mayor has labored under the disadvantage of having a legislative branch not in sympathy with him politically, but he has made a good name for himself nevertheless in spite of political misrepresentation.

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**Non-Partisan Elections for Milwaukee.**—The last Wisconsin legislature passed two laws providing for the non-partisan election of the county board of supervisors and the county administrative officers, the laws for the present being limited to the county of Milwaukee, the largest county in the state. These laws are a move in the direction of majority rule, in that Milwaukee county has three parties of approximately equal strength. The non-partisan law leaves the choice at the election to the two highest nominees at the primary.

RAYMOND T. ZILLMER.<sup>1</sup>

<sup>1</sup> Secretary, Good Government League.

## IV. JUDICIAL DECISIONS

**Proportional Representation Held Unconstitutional in Kalamazoo.**—Judge Jesse H. Root, of Monroe, Michigan, in a case brought before him in the circuit court for the county of Kalamazoo, has rendered a decision declaring unconstitutional the provision in the charter of the city of Kalamazoo providing for the election of city commissioners by the Hare system of proportional representation. The provision was attacked on the ground that it conflicted with the requirement of the constitution that "in all elections every inhabitant of this state shall be an elector and entitled to vote." The court held that this constitutional requirement was interpreted by the supreme court of the state in the case of *Maynard v. Board of Canvassers*<sup>1</sup> as giving to each elector the right to vote for every officer to be elected, whereas under the Hare system, as applied to Kalamazoo, each elector is permitted to vote for only one of the seven commissioners to be elected. Judge Root also quotes the supreme court of Ohio<sup>2</sup>—in which state the constitution then provided that each elector "shall be entitled to vote at all elections," a provision substantially the same as the Michigan clause—as thus interpreting the case of *Maynard v. Board of Canvassers* in support of a decision that the Ohio clause guarantees to each elector the right to vote for each officer whose election is submitted to the electors.

Judge Root's decision takes recognition of the contention that these decisions have no applicability to the Kalamazoo case for the reason that city officers are not constitutional officers; that the opinions quoted from are all in reference to constitutional officers; and that the manner of electing city officers is purely a matter of local

concern.<sup>3</sup> Judge Root disposes of this point on the grounds that however true it might otherwise be, it is entirely offset by the constitutional prohibition that "no city or village shall have the right to abridge the right of elective franchise."

On the other hand, Judge Root holds that the Kalamazoo charter is not void because it provides for the election of the mayor by a vote of the commissioners instead of by the people themselves. He also dismisses as purely typographical or clerical an error in the repealing clause of the charter, ruling that the undoubted intention of the charter framers, rather than its literal interpretation, should govern. Furthermore, he dismisses the contention that the court should refuse to enter a judgment of ouster because it would be futile, the respondents having been succeeded by a new commission (also elected by proportional representation), his position being that the proceeding was brought to test the constitutionality of the charter rather than the right of one man to hold office under it.

Judge Root's rather sensational decision seems to give general satisfaction among the opponents of proportional representation, and general dissatisfaction among its adherents—as might be expected. Pending an appeal to the supreme court, the city attorney has advised the commission to play safe, and, in matters of taxation, not to exceed the tax limit set by the old charter. The budget for 1920 is accordingly to be reduced so as to keep within the old charter limit of 10 mills. A charter amendment is also proposed, deleting the objectionable proportional representation clause and substituting the old majority system. Such action will require two special elections, one for a referendum on the charter amendment, and another for the election of new commissioners.

## V. MISCELLANEOUS

**Exit "The Public," Enter "Taxation."**—The announcement that *The Public* would cease to exist after its issue of December 6, 1919, came to many of its readers rather as a shock. Under the editorship of Louis F. Post, *The Public* achieved a well-deserved reputation for high, straight thinking, and was frequently referred to as the best-edited periodical in the United

States. Upon the retirement of Mr. Post, Stoughton Cooley became its editor, maintaining in an able manner the standards which his predecessor had set. That the circle of *The Public's* readers was never relatively large is regrettable, but more or less in the nature of a distinction, since no serious review in America has ever appealed to more than an infinitesimal

<sup>1</sup> 84 Mich. 228.

<sup>2</sup> *State v. Constantine*, 42 Ohio 537.

<sup>3</sup> *Bellas v. Burr*, 78 Mich. 1. *Menton v. Cook*, 147 Mich. 540.

part of our citizenship—and possibly never will. But that this circle should dwindle to a point where it could not sustain existence is, indeed, a tragedy in American journalism.

Simultaneously with the extinction of *The Public* came the announcement of a new magazine, *Taxation*, to be inaugurated in January, with James R. Brown, president of the Manhattan single tax club, as publisher, and Mr. Cooley as editor. *Taxation* is projected as an educational weapon for the business man and student of affairs that "will be devoted to the great underlying causes of social unrest and industrial maladjustment." It promises to be non-partisan, and to analyze the rights of the citizen and the proper sphere of government.



**Citizens' Research Institute of Canada.**—This institute, recently organized, is a dominion-wide association of citizens to obtain and make available the fact basis of the administration of public affairs in Canada. The institute will harmonize its work with that of local bureaus of municipal research and similar bodies, and give wide circulation to such local material as is of general interest. The institute will endeavor, as one of its specific aims, to promote the movement toward the standardization of municipal, provincial and national accounting, which would, among other things, make possible the trustworthy comparison of statistics. Toward this end a series of pamphlets is being published on the cost of government in Canada.



**A Civic Classification Scheme.**—The municipal reference bureau of the University of Minnesota, of which E. L. Bennett is secretary,

has issued a "Classification Scheme for Material in the Municipal Reference Bureau," which represents a very careful and painstaking effort, and should prove of interest and practical value to all institutions concerned with the collection of municipal and civic data. Mr. Bennett's scheme includes some eighteen main subject heads, with appropriate sub-heads and sub-sub-heads. The main subjects are: municipal government; people's part in government; municipal corporations; forms of municipal government; municipal legislation; courts; administration; stores and purchasing department; finance; public safety; public health; welfare; city planning; public works; ports and terminals; public utilities; education, and civic organizations.



**New Year Greetings from the City of Flint (Michigan)** are contained in an attractive new year's card carrying the city's greetings on the front cover, a plan of the city on the inside, and on the back a quotation from Charles W. Eliot relative to city planning.



**A Study of the Teaching of Government** in secondary schools will be made by Professor Edgar Dawson of Hunter College, New York City, who has been given a year's leave of absence for the purpose. Professor Dawson, who is also field representative on civic education for the National Municipal League, will welcome correspondence with those interested in the subject, suggestions as to points which should be covered, or information as to successful experiments now being made in the field. It is expected that the results of this study will be published in the spring of 1921.